Bill No. X-96-11-31

ANNEXATION ORDINANCE NO. X- Withdrawn

AN ORDINANCE annexing certain territory commonly known as the Southwest Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of T30N, R11E, 2nd P.M., Aboite Civil Township, Allen County, Indiana, and part of T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the easterly right-of-way of Interstate 69 (Indiana State Highway I Project No. 69-4 (13) 105, 1959) with the northerly line of Poplar Ridge Addition (Plat Book 20, page 53, Office of the Allen County Recorder) extended westerly; thence northerly along the east right-of-way of Interstate 69 to its intersection with the south right-of-way of the Norfolk and Southern Railroad; thence westerly and northwesterly along the south right-of-way of the Norfolk and Southern Railroad, said south right-of-way also being the north boundary of Westlawn, Sections "E" and "F" (Plat Book 23, page 119, Office of the Allen County Recorder), the north boundary of Westlawn, Section "C" (Plat Book 23, page 41, Office of the Allen County Recorder) and the north boundary of Westlawn Section "B" Plat Book 23, page 40, Office of the Allen County Recorder), to the west right-of-way of Hadley Road; thence southerly along the west right-of-way of Hadley Road to the northeast corner of Lot 20, re-recorded plat of Edgemont Addition (Plat Book 19, page 166, Office of the Allen County Recorder), said corner also being on the north line of the south half of the north half of the SW 1/4 of Section 1, T30N, R11E, 2nd P.M.; thence westerly along the north line of the south half of the north half of the SW 1/4 of section 1, T30N, R11E, 2nd P.M., said line also being a portion of the north boundary of Abbey Place - Section Two (Plat Cabinet B, page 93, Office of the Allen County Recorder) to the east line of the SE 1/4 of Section 2, T30N, R11E, 2nd P.M.; thence southerly along the east line of the SE 1/4 of said Section 2, said line also being a portion of the west boundary of said Abbey Place - Section two, to the

northeast corner of Lot 35, the Falls of Beaver Creek - Section I (Plat Cabinet C, page 52, Office of the Allen County Recorder); thence westerly along the north boundary of Lot 35, The Falls of Beaver Creek - Section I and said north boundary extended westerly to the northwest corner of Deer Cliff Run in the Falls of Beaver Creek - Section I; thence southerly along the west right-of-way of said Deer Cliff Run to the northeast corner of Lot 34, the Falls of Beaver Creek - Section I; thence westerly along the north boundary of Lot 34, the Falls of Beaver Creek - Section I to the northwest corner of said Lot 34, the Falls of Beaver Creek - Section I, thence southerly along the west boundary of Lot 34, Lot 33, Lot 32 and a portion of Lot 31, all in the Falls of Beaver Creek - Section I to the north boundary of Block "E" in the Falls of Beaver Creek - Section I; thence westerly along the north boundary of Block "E" in the Falls of Beaver Creek - Section I to its intersection with the easterly boundary of Lot 18, the Falls of Beaver Creek - Section I; thence northeasterly along a portion of the easterly boundary of Lot 18 and a portion of the easterly boundary of Lot 17, the Falls of Beaver Creek - Section I to the easterly corner of said Lot 17; thence northwesterly along a portion of the easterly boundary of Lot 17 and the easterly boundary of Lot 16, the Falls of Beaver Creek - Section I to the northeast corner of said Lot 16; thence westerly along the north boundary of Lot 16 and Lot 15 in the Falls of Beaver Creek - Section I to the northwest corner of said Lot 15, said corner also being on the east boundary of Whispering Meadows - Section V (Plat Cabinet B, page 196, Office of the Allen County Recorder); thence northerly along a portion of the east boundary of Whispering Meadows - Section V to the northeast corner of Lot 274, Whispering Meadows - Section V; thence westerly along the north boundary of Whispering Meadows - Section V and a portion of Whispering Meadows - Section II (Plat Cabinet B, page 108, Office of the Allen County Recorder) to the southeast corner of Lot 6, Whispering Woods - Section I (Plat Cabinet C, page 31, Office of the Allen County Recorder); thence northerly along the east boundary of Whispering Woods - Section I to the northeast corner of Lot 12, Whispering Woods - Section I, said corner also being on the south right-of-way of the Norfolk and Southern Railroad; thence westerly along the north boundary of Whispering Woods - Section I and the north boundary of Whispering Woods - Section III (Plat Cabinet C, page 65, Office of the Allen County Recorder) to the northwest corner of Lot 112, Whispering Woods - Section III; thence northerly along the east boundary of Whispering Woods - Section II (Plat Cabinet C, page 66, Office of the Allen County Recorder) to the northeast corner of Block "A" Whispering Woods - Section II; thence westerly along the north boundary of Block "A" Whispering Woods - Section II, said line also being the south right-of-way of the Norfolk and Southern Railroad, to the northwest corner of Block "A" Whispering Woods - Section II; thence southerly along the west boundary of the secondary plat of Whispering Woods - Section II to the southwest corner of Lot 88, Whispering Woods - Section II; thence westerly along the north boundary of Shorewood Section VII extended (Plat Cabinet B, page 189, Office of the Allen County Recorder) and the north boundary of Shorewood - Section VII (Plat Cabinet B, page 179, Office of the Allen County Recorder) to the northwest corner of the Nature Preserve in Shorewood - Section VII; thence southerly along the west boundary of the Nature

Preserve in Shorewood - Section VII, the west boundary of Shorewood - Section V (Plat Cabinet B, page 112, Office of the Allen County Recorder), the west boundary of Shorewood - Section VI (Plat Cabinet B, page 143, Office of the Allen County Recorder) and the west line of the east half of the west half of the SE 1/4 of Section 3, T30N, R11E, 2nd P.M., Allen County, Indiana to the north right-of-way of State Road No. 14 (Illinois Road); thence westerly along the north right-of-way of State Road No. 14 (Illinois Road) to its intersection with the west boundary line of Lot 198, Lot 197 and the common area north of and adjacent to Lot 197 in Sycamore Hills - Section 6 (Plat Cabinet A, page 110, Office of the Allen County Recorder) extended northerly; thence southerly on said west boundary line of Lot 198, Lot 197 and the common area north of adjacent to Lot 197 in Sycamore Hills - Section 6 extended northerly and said west boundary line to the southwest corner of Lot 198, Sycamore Hills - Section 6; thence westerly along the north boundary of Sycamore Hills - Section 6 (as established by Lot 199, Lot 200 and Lot 201) to the northwest corner of Lot 201, Sycamore Hills - Section 6; thence southwesterly along the west boundary of Sycamore Hills - Section 6, the west boundary of Sycamore Hills, Section 7 (Plat Book A, page 181, Office of the Allen County Recorder) and the west boundary of Sycamore Hills - Section 8 (Plat Cabinet B, page 53, Office of the Allen County Recorder) to an angle point on the west side of Lot 277, Sycamore Hills - Section 8; thence westerly along the north boundary of Lot 277, Sycamore Hills - Section 8 to the west boundary of Lot 277, Sycamore Hills - Section 8; thence southerly along the west boundary of Sycamore Hills - Section 8 and said west boundary of Sycamore Hills - Section 8 extended southerly to its intersection with the south right-of-way of the Covington Road; thence easterly along the south right-of-way of the Covington Road to its intersection with the west right-of-way of the Homestead Road; thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way line of the Aboite Center Road; thence easterly along the south right-of-way line of the Aboite Center Road to its intersection with the west boundary of the Plantation of Aboite - Section II (Plat Book 40, page 92 (Doc. No. 78-5758) Office of the Allen County Recorder); thence southerly along the west boundary of the Plantation of Aboite - Section II and the Plantation of Aboite - Section I (Plat Book 39, page 73 (Doc. No. 77-15733) Office of the Allen County Recorder) to the southwest corner of Lot 11, the Plantation of Aboite - Section I; thence westerly along the north line of Kekionga Shores (Plat Book 29, pages 13-17, Office of the Allen County Recorder) and the north boundary of Homestead Acres - Section I (Plat Book 41, page 37 (Doc. No. 78-18418) Office of the Allen County Recorder) to the northwest corner of Lot 11, Homestead Acres - Section I; thence southerly along the west boundary of Homestead Acres - Section I to the north boundary of the Homesteads - Section I (Plat Cabinet B, page 128, Office of the Allen County Recorder); thence westerly along north boundary of the Homesteads - Section I (Lot 59 thru Lot 64) to the northwest corner of Lot 64, the Homesteads - Section I; thence southerly along the west boundary of the Homesteads - Section I (Lot 64 thru Lot 69) to the northeast corner of Lot 37, the Homesteads - Section I; thence westerly along the north boundary of the Homesteads - Section I (Lot 37 thru Lot 41) and said north boundary of the Homesteads - Section I Extended

westerly to its intersection with the west right-of-way of the Homestead Road; thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way of Liberty Mills Road; thence easterly along the south right-of-way of Liberty Mills Road to its intersection with the west boundary of the Glens of Liberty Mills - Section I (Plat Cabinet A, page 41, Office of the Allen County Recorder); thence southerly along the west boundary of the Glens of Liberty Mills - Section I to the north boundary of Glens of Liberty Mills - Section II (Plat Cabinet B, page 56, Office of the Allen County Recorder); thence westerly along the north boundary of Glens of Liberty Mills - Section II to the northwest corner of Lot 109, Glens of Liberty Mills - Section II; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 106 thru Lot 109) to the southwest corner of Lot 106, Glens of Liberty Mills - Section II, said corner being on the north boundary of Lot 105, Glens of Liberty Mills - Section II; thence westerly along the north boundary of Lot 105, Glens of Liberty Mills - Section II to the northwest corner of said Lot 105; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 105, Lot 104 and Block "A") to the southwest corner of Block "A" in the Glens of Liberty Mills - Section II; thence easterly along the south boundary of Glens of Liberty Mills - Section II, said line also being a portion of the north boundary line of Sheffield Woods (Plat Cabinet A, page 40, Office of the Allen County Recorder) to the west boundary of said Glens of Liberty Mills - Section I; thence southerly on the west boundary of said Glens of Liberty Mills - Section I to the southwest corner of Lot 56, Glens of Liberty Mills - Section I; said corner also being the northwest corner of Lot 56, Forest Ridge Estates - Section "C" (Plat Book 29, pages 118-120, Office of the Allen County Recorder); thence easterly along the north boundary of Forest Ridge Estates - Section "C", the north boundary of Forest Ridge Estates - Section "A" (Plat Book 23, pages 44-45, Office of the Allen County Recorder) to the northeast corner of Lot 15, Forest Ridge Estates - Section "A", said corner also being on the northerly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B1 (1938) Huntington - Fort Wayne Road); thence southwesterly along the northerly right-of-way of said U.S. Highway No. 24 to its intersection with the west line of the SE 1/4 of the SW 1/4 of Section 27, T30N, R11E, 2nd P.M., Allen County, Indiana; thence southerly along the west line of the SE 1/4 of the SW 1/4 of said Section 27, said line also being the west boundary of the Hamlets of Woodland Ridge - Section VIII (Plat Cabinet B, page 73, Office of the Allen County Recorder) to the southwest corner of Block "Q" in the Hamlets of Woodland Ridge - Section VIII; thence northeasterly along the south boundary of the Hamlets of Woodland Ridge - Section VIII (Plat Cabinet A, page 85, Office of the Allen County Recorder), the north right-of-way of the former interurban to its intersection with the north line of the SW 1/4 of Section 26, T30N, R11E, 2nd P.M.; thence westerly along the north line of the SW 1/4 of said Section 26 to the southeast corner of Lot 65, Manor Woods (Plat Book 23, page 19, Office of the Allen County Recorder) said corner also being on the east line of the W ½ of the NW 1/4 of Section 26, T30N, R11E, 2nd P.M.; thence northerly along the east boundary of Manor Woods to the northeast corner of Lot 59, Manor Woods, said corner also being on the southeasterly right-of-way of U.S. Highway No. 24; thence

northeasterly along the southeasterly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B1 (1938) Huntington-Fort Wayne Road) to its intersection with the southerly right-of-way of Engle Road Extended (Allen County Highway Department Project No. CX 15875 (1980)); thence southeasterly and easterly along the southerly right-of-way of Engle Road extended to its intersection with the northwesterly line of the former Fort Wayne and Wabash Valley Traction Company right-of-way; thence northeasterly through the right-of-way of Engle Road Extended to the southwest corner of Jefferson Place - Phase II (Condominium Book 9, pages 58-59, Office of the Allen County Recorder) said corner also being on the northerly right-of-way of Engle Road Extended; thence northeasterly along the easterly boundary of Jefferson Place - Phase II to the northeast corner of Jefferson Place - Phase II; thence continuing northeasterly along the northerly line of the former Indiana Service Corporation Electric Railway, said line also being the southerly right-of-way of Garland Street in Hazelhurst Extended (Plat Book B, page 106, Office of the Allen County Recorder) and Hazelhurst (Plat Book 12, page 46, Office of the Allen County Recorder) and the southerly right-of-way of Taylor Road (Street) in the plat of Highland Garden Addition (Plat Book 8, page 62, Office of the Allen County Recorder) and Country Club Gardens Addition (Plat Book 8, page 58, Office of the Allen County Recorder) to its intersection with the east line of the SW 1/4 of Section 18, T30N, R12E, 2nd P.M.; thence northerly along the east line of the SW 1/4 of said Section 18, said line also being the east boundary of said Country Club Gardens Addition to the southwest corner of Lot 7, Langford Oaks Addition - Section "A" (Plat Book 19, page 159, Office of the Allen County Recorder); thence easterly along the south boundary of Langford Oaks Addition - Section "A" (Lot 7 and Lot 8) to the southeast corner of Lot 8, Langford Oaks Addition - Section "A"; thence northerly along the east boundary of Langford Oaks Addition - Section "A" (Lot 8 and Lot 9) to the northeast corner of Lot 9, Langford Oaks Addition - Section "A"; thence easterly along the south boundary of Langford Oaks Addition - Section "A" (Lot 19 and Lot 20) to the southeast corner of Lot 20, Langford Oaks Addition - Section "A", said corner also being on the west right-of-way line of Fountain Avenue (Glendale Acres Suburban Addition to the City of Fort Wayne, Allen County, Indiana, Plat Book 4, pages 59-60, Office of the Allen County Recorder); thence southerly along the west right-of-way of Fountain Avenue, platted and dedicated in the plat of said Glendale Acres Suburban Addition, said line also being a portion of the West of Smith Road Annexation (Annexation Ordinance No. X-01-96, Office of the City Clerk of the City of Fort Wayne, Indiana) to a point 848.5 feet south of the south right-of-way of Engle Road Extended, said point also being the intersection of the west right-of-way of Fountain Avenue with a portion of the north boundary with said West of Smith Road Annexation; thence easterly along a portion of the north boundary of said West of Smith road Annexation to the center line (Thalweg) of the Junk Ditch; thence northeasterly along a portion of the westerly boundary of said West of Smith Road Annexation, said line also being the center line (Thalweg) of the Junk Ditch to the north line of the lands of Victory Waste, Inc. (Document No. 95-004735, Office of the Allen County Recorder); thence easterly along the north line of the lands of Victory Waste,

Inc. and said north line extended easterly, said line also being a portion of the north boundary of said West of Smith Road Annexation, to its intersection with the east right-of-way of Smith Road, said intersection also being on the west boundary of the Engle Ridge West Annexation Area (Annexation Ordinance No. X-04-86, Office of the City Clerk of the City of Fort Wayne, Indiana); thence northerly along the east right-of-way of Smith Road, said line being a portion of the west boundary of said Engle Ridge West Annexation Area and also a portion of the west boundary of the Country Club Annexation (Annexation Ordinance No. X-03-81, Office of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition (Plat Book 4, pages 59-60, Office of the Allen County Recorder) extended easterly, said intersection also being the southeast corner of the Canterbury School Annexation Area (Annexation Ordinance X-08-86, Office of the City Clerk of the City of Fort Wayne, Indiana); thence westerly along a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition extended easterly, a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition, said line also being a portion of the south boundary of said Canterbury School Annexation, to a point on the west boundary line of Lot 4, Glendale Acres Suburban Addition, 6.2 feet south of the northwest corner of Lot 4, Glendale Acres Suburban Addition; thence northerly along west boundary of Lot 4, Glendale Acres Suburban Addition, said line also being a portion of the west boundary of said Canterbury School Annexation, to the northwest corner of Lot 4, Glendale Acres Suburban Addition, said corner also being the southeast corner of Lot 17, Glendale Acres Suburban Addition; thence westerly along the south boundary of Lot 17, Glendale Acres Suburban Addition, said line also being a portion of the south boundary of said Canterbury School Annexation, to the southwest corner of Lot 17, Glendale Acres Suburban Addition, said corner also being on the east right-of-way of Anneta Avenue as platted and dedicated in the plat of Glendale Acres Suburban Addition; thence northerly along the east right-of-way of Anneta Avenue, said line also being a portion of the west boundary of said Canterbury School Annexation, and said east right-of-way of Anneta Avenue extended northerly to its intersection with the north right-of-way of Langford Lane (Charlotte Avenue in the plat of Glendale Acres Suburban Addition) said line also being on the south boundary of Rousseau's Country Club Addition (Plat Book 6, page 66, Office of the Allen County Recorder) and also being on a portion of the south boundary of said Country Club Annexation; thence westerly along the south boundary of Rousseau's Country Club Addition, said line also being a portion of the south boundary of said Country Club Annexation and the north boundary of Langford Oaks Addition - Section "A" (Plat Book 19, page 159, Office of the Allen County Recorder), said line also being a portion of the south boundary of said Country Club Annexation, to the southwest corner of Lot 211, Country Club View Addition (Plat Book 11, page 97, Office of the Allen County Recorder); thence northerly along the west boundary of Lot 200 through 211 in the Country Club View Addition; said line also being a portion of the west boundary of said Country Club Annexation, to the northwest corner of Lot 200, Country Club View Addition, said corner also being the southwest corner of Lot 199, Country Club

View Addition; thence northwesterly along the west boundary of Lot 199, Country Club View Addition, said line also being a portion of the west boundary of said Country Club Annexation to the northwest corner of Lot 199, Country Club View Addition, said corner also being on the southeasterly right-of-way of Richland Drive as platted and dedicated in the plat of Country Club View Addition; thence northeasterly along the southerly right-of-way of Richland Drive, said line also being a portion of the boundary of said Country Club Annexation, to its intersection with the west right-of-way of Fairway Drive as platted and dedicated in the plat of Country Club View Addition; thence northerly along the west right-of-way of Fairway Drive, said line also being a portion of the west boundary of said Country Club Annexation, to its intersection with the southeasterly right-of-way of South Bend Drive (called Huntington Road in the plat of Country Club View Addition); thence northeasterly along the southerly right-of-way of South Bend Drive, said line also being a portion of the west boundary of said Country Club Annexation, to its intersection with the south right-of-way of Covington Road; thence westerly along the south right-of-way of Covington Road, said line also being a portion of the south boundary of Westwood Annexation Study Area (Annexation Ordinance No. X-32-69, Office of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with the east boundary of Lot 8, Country Club Hills (Plat Book 12, page 39, Office of the Allen County Recorder), said intersection also being the northeast corner of the Covington Road Annexation Area (Annexation Ordinance No. X-07-83, Office of the City Clerk of the City of Fort Wayne, Indiana); thence southerly along the east boundary of Lot 8, Country Club Hills, said line also being the east boundary of said Covington Road Annexation, to the southeast corner of Lot 8, Country Club Hills; thence westerly along the south boundary lines of Lots 8 through 15, Country Club Hills, said line also being the south boundary of said Covington Road Annexation, to the southwest corner of Lot 15, Country Club Hills, said corner being on the east right-of-way of Bellaire Drive as platted and dedicated in the plat of Country Club Hills; thence northerly along the east right-of-way of Bellaire Drive to its intersection with the southeasterly right-of-way of West Jefferson Boulevard, said intersection also being on a portion of the boundary of the Skinner-Broadbent Amended Annexation Area (Annexation Ordinance No. X-04-88, Office of the City Clerk of the City of Fort Wayne, Indiana); thence southwesterly along the southerly right-of-way of West Jefferson Boulevard, said line also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, to a point located on the southerly right-of-way of West Jefferson Boulevard 219 feet, more or less, northeasterly of the intersection of the west boundary line of Lot 4, Rousseau's Third Garden Addition (Plat Book 6, page 65, Office of the Allen County Recorder) with the southerly right-of-way of West Jefferson Boulevard; thence southeasterly (S40^0 34'E - 676.0 feet, deed) along a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, through Lot 4, Lot 3 and Lot 2 in Rousseau's Third Garden Addition to its intersection with the center line (Thalweg) of the Flaugh Ditch; thence southwesterly along the center line (Thalweg) of the Flaugh Ditch, said ditch center line (Thalweg) also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, to its intersection with the west line of the

NW 1/4 of Section 18, T30N, R12E, 2nd P.M.; thence northerly along the west line of the NW 1/4 of said Section 18, said line being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area and a portion of the boundary of the Colony Bay Annexation Area (Annexation Ordinance No. X-04-82, Office of the City Clerk, of the City of Fort Wayne, Indiana); thence continuing northerly along the west line of Section 7, T30N, R12E, 2nd P.M., said line also being a portion of the boundary of said Colony Bay Annexation Area to its intersection with the south line of the NE 1/4 of Section 12, T30N, R11E, 2nd P.M., said intersection being on the south boundary of the Magnavox Way Annexation Area (Annexation Ordinance No. X-03-82, Office of the City Clerk of the City of Fort Wayne, Indiana); thence westerly along the south line of the NE 1/4 of said Section 12, said line also being a portion of the south boundary of said Magnavox Way Annexation Area, to its intersection with the east right-of-way of Interstate 69 (Indiana State Highway I Project No. 69-4 (13) 105, 1959); thence northeasterly and easterly along the easterly right-of-way of Interstate 69 and Interstate 69 Interchange (southeast quadrant, Indiana State Highway I Project No. 69-4-(13) 105, 1959), said line also being a portion of the boundary of said Magnavox Way Annexation Area, to its intersection with the south right-of-way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence easterly along the south right-of-way of Illinois Road, said line also being a portion of the boundary of said Magnavox Way Annexation Area, to a point south of and normal to survey line 'S-14-A' (Indiana State Highway I Project No. 69-4 (13) 105, 1959) and through Station 61 + 52.35 on said line 'S-14-A'; thence northerly through the right-of-way of Illinois Road, said line also being a portion of the boundary of said Magnavox Way Annexation Area, to a obliterated concrete right-of-way marker (103 feet normal distance north of station 61 +52.35 on said line 'S-14-A') approximately 1,306 feet west and 103 feet north of the southeast corner of the southeast corner of the SW 1/4 of Section 6, T30N, R12E, 2nd P.M., said obliterated concrete right-of-way marker also being on the south boundary of the Poplar Ridge Annexation Area (Annexation Ordinance No. X-06-94, Office of the City Clerk of the City of Fort Wayne, Indiana); thence westerly, northwesterly and northerly along the easterly right-of-way of the Illinois Road (formerly Indiana State Road 14) and Interstate 69 Interchange (northeast quadrant, Indiana State Highway I Project No. 69-4 (13) 105, 1959) and the easterly right-of-way of Interstate 69, said line also being a portion of the boundary of said Poplar Ridge Annexation Area, to the point of beginning.

Said territory is outlined in the map attached as Exhibit A.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police

protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistnt with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on February 28, 1997. In the event of litigation challenging the ordinance, the territory shall become part of the City the first 28th day of February following any final judicial decision resolving any legal challenge to the ordinance in favor of the City.

Thomas Hayhurst

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay

J. TIMOTHY McCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Haylurst, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council ~~Council Conference~~ Room ~~128~~ 126, City-County Building, Fort Wayne, Indiana, on Tuesday, the 26th day of November, 19 96, at 7:00 o'clock P.M.,E.S.T.

DATED: 11-12-96

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES				
BENDER				
CRAWFORD				
EDMONDS				
HALL				
HAYHURST				
HENRY				
LUNSEY				
RAVINE				
SCHMIDT				

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19____

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____, M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

With drawn

BILL NO. X-96-11-31

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - THOMAS E. HAYHURST - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) ANNEXING certain territory commonly known as the Southwest Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

DO PASS	DO NOT PASS	ABSTAIN	NO REC
	Rebecca Ravine		
	Thomas E. Hayhurst		
	Diedre Hall		
	[illegible]		
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DATED: 12-3-96

Sandra E. Kennedy
City Clerk

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

November 13, 1996

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of November 16, 1996, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. X-96-11-31
Southwest Annexation Area

Bill No. X-96-11-33
Southwest Extended Annexation Area

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 2

COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: City Council Members

FROM: Pamela Holocher, Senior Planner

SUBJECT: Southwest and Southwest Extended Annexations

DATE: November 12, 1996 X-96-11-31

Attached are the two alternate ordinances and resolutions the City is introducing for the Southwest and Southwest Extended Annexations. The Southwest Annexation Ordinance, (Option 1), would take effect **February 28, 1997**, while the Southwest Extended Annexation Ordinance, (Option 2), would take effect **January 1, 2006.** These ordinances are scheduled for public hearing and discussion on November 26, 1996. Final action on one, and only one, of the ordinances should take place on November 26. If the County Commissioners turn down the West Hamilton incorporation proposal, we would ask City Council to adopt Option 2, the Southwest Extended Ordinance. But, if the West Hamilton proposal is still pending when City Council is ready to take final action, only Option 1 could be adopted, since Option 2 includes a portion of the proposed West Hamilton. If City Council desires to delay action, **December** 3 would be the latest possible date for approval to ensure that adoption and publication occurs before the end of the year, and that the remonstrance period ends prior to the March 1, 1997 assessment date.

Since Mayor Helmke took office in 1988, the City has successfully annexed large urbanized portions northeast and north of the City. Annexation southwest of the City is the logical next step in our comprehensive annexation program.

The City of Fort Wayne is asking the City Council to adopt of one of the two ordinances by December 3, 1996 for two reasons. First, an attempt to incorporate a town, known as West Hamilton, is pending before the Allen County Commissioners. If this incorporation takes effect Fort Wayne could not annex within the town's corporate limits and the town could then petition to become a city and annex other areas southwest, directly adjacent to Fort Wayne City limits. Second, some members of the State Legislature have indicated that they are going to push for new laws limiting cities' annexation powers. Therefore, it is imperative that final action be concluded on one of the two ordinances before the next session of the Indiana General Assembly starts meeting full-time in January.

Option 1 (Southwest Annexation) would annex a small portion of Wayne Township and a large portion of urbanized Aboite Township, **excluding** the proposed town of West Hamilton. The area covers approximately 7,019 acres, or 10.97 square miles and would bring in an estimated 20,121 persons on February 28, 1997. The area has an assessed value of $227,501,500 and is anticipated to bring in $7,552,432 of net revenue over a five year period.

Option 2 (Southwest Extended Annexation) includes all of the territory in Option 1 **plus** a portion of the proposed town of West Hamilton. Upon the effective date, January 1, 2006, approximately 22,587 persons would be brought into the City. The proposed Southwest Extended Annexation area covers approximately 8,228 acres, or 12.86 square miles and has an assessed value of $262,100,730. Over a five year period it is anticipated that the annexation would bring in $12,443,070 of net revenue.

Property owners in both proposed annexation areas have been sent packets from the City outlining the City's annexation plans and announcing a series of public information sessions, which have been scheduled for November 20 and 21. City staff members will be on hand to answer any questions and note concerns of property owners within the annexation areas. These meetings are scheduled as shown below:

November 20, from 7 a.m. to 10 a.m. at Aboite Elementary
November 20, from 4:30 p.m. to 8:00 p.m. at Aboite Elementary
November 21, from 7 a.m. to 10 a.m. at Whispering Meadows
November 21, from 4:30 p.m. to 8:00 p.m. at Whispering Meadows

We invite you to attend these meetings. From our past experiences with the Northeast and North Annexation meetings, we have found these sessions to be an effective vehicle for getting information out to area residents.

Please feel free to contact Pam Holocher at 427-2139 should you have any questions or concerns about the annexation.

FORT WAYNE COMMON COUNCIL

NOTICE OF A PUBLIC HEARING
ANNEXATION ORDINANCE

BILL NO. X-96-11-31
SOUTHWEST ANNEXATION AREA

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, NOVEMBER 26, 1996 AT 7:00 P.M., IN THE COMMON COUNCIL CHAMBERS ROOM 126, CITY-COUNTY BUILDING, ONE MAIN STREET, 1ST FLOOR, FORT WAYNE, INDIANA, CONCERNING THE FOLLOWING

AN ORDINANCE annexing certain territory commonly known as the Southwest Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of T30N, R11E, 2nd P.M., Aboite Civil Township, Allen County, Indiana, and part of T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the easterly right-of-way of Interstate 69 (Indiana State Highway I Project No. 69-4 (13) 105, 1959) with the northerly line of Poplar Ridge Addition (Plat Book 20, page 53, Office of the Allen County Recorder) extended westerly; thence northerly along the east right-of-way of Interstate 69 to its intersection with the south right-of-way of the Norfolk and Southern Railroad; thence westerly and northwesterly along the south right-of-way of the Norfolk and Southern Railroad, said south right-of-way also being the north boundary of Westlawn, Sections "E" and "F" (Plat Book 23, page 119, Office of the Allen County Recorder), the north boundary of Westlawn, Section "C" (Plat Book 23, page 41, Office of the Allen County Recorder) and the north boundary of Westlawn Section "B" Plat Book 23, page 40, Office of the Allen County Recorder), to the west right-of-way of Hadley Road; thence southerly along the west right-of-way of Hadley Road to the northeast corner of Lot 20, re-recorded plat of Edgemont Addition (Plat Book 19, page 166, Office of the Allen County Recorder), said corner also being on the north line of the south half of the north half of the SW 1/4 of Section 1, T30N, R11E, 2nd P.M.; thence westerly along the north line of the south half of the north half of the SW 1/4 of section 1, T30N, R11E, 2nd P.M., said line also being a portion of the north boundary of Abbey Place - Section Two (Plat Cabinet B, page 93, Office of the Allen County Recorder) to the east line of the SE 1/4 of Section 2, T30N, R11E, 2nd P.M.; thence southerly along the east line of the SE 1/4 of said Section 2, said line also being a portion of the west boundary of said Abbey Place - Section two, to the

northeast corner of Lot 35, the Falls of Beaver Creek - Section I (Plat Cabinet C, page 52, Office of the Allen County Recorder); thence westerly along the north boundary of Lot 35, The Falls of Beaver Creek - Section I and said north boundary extended westerly to the northwest corner of Deer Cliff Run in the Falls of Beaver Creek - Section I; thence southerly along the west right-of-way of said Deer Cliff Run to the northeast corner of Lot 34, the Falls of Beaver Creek - Section I; thence westerly along the north boundary of Lot 34, the Falls of Beaver Creek - Section I to the northwest corner of said Lot 34, the Falls of Beaver Creek - Section I, thence southerly along the west boundary of Lot 34, Lot 33, Lot 32 and a portion of Lot 31, all in the Falls of Beaver Creek - Section I to the north boundary of Block "E" in the Falls of Beaver Creek - Section I; thence westerly along the north boundary of Block "E" in the Falls of Beaver Creek - Section I to its intersection with the easterly boundary of Lot 18, the Falls of Beaver Creek - Section I; thence northeasterly along a portion of the easterly boundary of Lot 18 and a portion of the easterly boundary of Lot 17, the Falls of Beaver Creek - Section I to the easterly corner of said Lot 17; thence northwesterly along a portion of the easterly boundary of Lot 17 and the easterly boundary of Lot 16, the Falls of Beaver Creek - Section I to the northeast corner of said Lot 16; thence westerly along the north boundary of Lot 16 and Lot 15 in the Falls of Beaver Creek - Section I to the northwest corner of said Lot 15, said corner also being on the east boundary of Whispering Meadows - Section V (Plat Cabinet B, page 196, Office of the Allen County Recorder); thence northerly along a portion of the east boundary of Whispering Meadows - Section V to the northeast corner of Lot 274, Whispering Meadows - Section V; thence westerly along the north boundary of Whispering Meadows - Section V and a portion of Whispering Meadows - Section II (Plat Cabinet B, page 108, Office of the Allen County Recorder) to the southeast corner of Lot 6, Whispering Woods - Section I (Plat Cabinet C, page 31, Office of the Allen County Recorder); thence northerly along the east boundary of Whispering Woods - Section I to the northeast corner of Lot 12, Whispering Woods - Section I, said corner also being on the south right-of-way of the Norfolk and Southern Railroad; thence westerly along the north boundary of Whispering Woods - Section I and the north boundary of Whispering Woods - Section III (Plat Cabinet C, page 65, Office of the Allen County Recorder) to the northwest corner of Lot 112, Whispering Woods - Section III; thence northerly along the east boundary of Whispering Woods - Section II (Plat Cabinet C, page 66, Office of the Allen County Recorder) to the northeast corner of Block "A" Whispering Woods - Section II; thence westerly along the north boundary of Block "A" Whispering Woods - Section II, said line also being the south right-of-way of the Norfolk and Southern Railroad, to the northwest corner of Block "A" Whispering Woods - Section II; thence southerly along the west boundary of the secondary plat of Whispering Woods - Section II to the southwest corner of Lot 88, Whispering Woods - Section II; thence westerly along the north boundary of Shorewood Section VII extended (Plat Cabinet B, page 189, Office of the Allen County Recorder) and the north boundary of Shorewood - Section VII (Plat Cabinet B, page 179, Office of the Allen County Recorder) to the northwest corner of the Nature Preserve in Shorewood - Section VII; thence southerly along the west boundary of the Nature

Preserve in Shorewood - Section VII, the west boundary of Shorewood - Section V (Plat Cabinet B, page 112, Office of the Allen County Recorder), the west boundary of Shorewood - Section VI (Plat Cabinet B, page 143, Office of the Allen County Recorder) and the west line of the east half of the west half of the SE 1/4 of Section 3, T30N, R11E, 2nd P.M., Allen County, Indiana to the north right-of-way of State Road No. 14 (Illinois Road); thence westerly along the north right-of-way of State Road No. 14 (Illinois Road) to its intersection with the west boundary line of Lot 198, Lot 197 and the common area north of and adjacent to Lot 197 in Sycamore Hills - Section 6 (Plat Cabinet A, page 110, Office of the Allen County Recorder) extended northerly; thence southerly on said west boundary line of Lot 198, Lot 197 and the common area north of adjacent to Lot 197 in Sycamore Hills - Section 6 extended northerly and said west boundary line to the southwest corner of Lot 198, Sycamore Hills - Section 6; thence westerly along the north boundary of Sycamore Hills - Section 6 (as established by Lot 199, Lot 200 and Lot 201) to the northwest corner of Lot 201, Sycamore Hills - Section 6; thence southwesterly along the west boundary of Sycamore Hills - Section 6, the west boundary of Sycamore Hills, Section 7 (Plat Book A, page 181, Office of the Allen County Recorder) and the west boundary of Sycamore Hills - Section 8 (Plat Cabinet B, page 53, Office of the Allen County Recorder) to an angle point on the west side of Lot 277, Sycamore Hills - Section 8; thence westerly along the north boundary of Lot 277, Sycamore Hills - Section 8 to the west boundary of Lot 277, Sycamore Hills - Section 8; thence southerly along the west boundary of Sycamore Hills - Section 8 and said west boundary of Sycamore Hills - Section 8 extended southerly to its intersection with the south right-of-way of the Covington Road; thence easterly along the south right-of-way of the Covington Road to its intersection with the west right-of-way of the Homestead Road; thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way line of the Aboite Center Road; thence easterly along the south right-of-way line of the Aboite Center Road to its intersection with the west boundary of the Plantation of Aboite - Section II (Plat Book 40, page 92 (Doc. No. 78-5758) Office of the Allen County Recorder); thence southerly along the west boundary of the Plantation of Aboite - Section II and the Plantation of Aboite - Section I (Plat Book 39, page 73 (Doc. No. 77-15733) Office of the Allen County Recorder) to the southwest corner of Lot 11, the Plantation of Aboite - Section I; thence westerly along the north line of Kekionga Shores (Plat Book 29, pages 13-17, Office of the Allen County Recorder) and the north boundary of Homestead Acres - Section I (Plat Book 41, page 37 (Doc. No. 78-18418) Office of the Allen County Recorder) to the northwest corner of Lot 11, Homestead Acres - Section I; thence southerly along the west boundary of Homestead Acres - Section I to the north boundary of the Homesteads - Section I (Plat Cabinet B, page 128, Office of the Allen County Recorder); thence westerly along north boundary of the Homesteads - Section I (Lot 59 thru Lot 64) to the northwest corner of Lot 64, the Homesteads - Section I; thence southerly along the west boundary of the Homesteads - Section I (Lot 64 thru Lot 69) to the northeast corner of Lot 37, the Homesteads - Section I; thence westerly along the north boundary of the Homesteads - Section I (Lot 37 thru Lot 41) and said north boundary of the Homesteads - Section I Extended

westerly to its intersection with the west right-of-way of the Homestead Road; thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way of Liberty Mills Road; thence easterly along the south right-of-way of Liberty Mills Road to its intersection with the west boundary of the Glens of Liberty Mills - Section I (Plat Cabinet A, page 41, Office of the Allen County Recorder); thence southerly along the west boundary of the Glens of Liberty Mills - Section I to the north boundary of Glens of Liberty Mills - Section II (Plat Cabinet B, page 56, Office of the Allen County Recorder); thence westerly along the north boundary of Glens of Liberty Mills - Section II to the northwest corner of Lot 109, Glens of Liberty Mills - Section II; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 106 thru Lot 109) to the southwest corner of Lot 106, Glens of Liberty Mills - Section II, said corner being on the north boundary of Lot 105, Glens of Liberty Mills - Section II; thence westerly along the north boundary of Lot 105, Glens of Liberty Mills - Section II to the northwest corner of said Lot 105; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 105, Lot 104 and Block "A") to the southwest corner of Block "A" in the Glens of Liberty Mills - Section II; thence easterly along the south boundary of Glens of Liberty Mills - Section II, said line also being a portion of the north boundary line of Sheffield Woods (Plat Cabinet A, page 40, Office of the Allen County Recorder) to the west boundary of said Glens of Liberty Mills - Section I; thence southerly on the west boundary of said Glens of Liberty Mills - Section I to the southwest corner of Lot 56, Glens of Liberty Mills - Section I; said corner also being the northwest corner of Lot 56, Forest Ridge Estates - Section "C" (Plat Book 29, pages 118-120, Office of the Allen County Recorder); thence easterly along the north boundary of Forest Ridge Estates - Section "C", the north boundary of Forest Ridge Estates - Section "A" (Plat Book 23, pages 44-45, Office of the Allen County Recorder) to the northeast corner of Lot 15, Forest Ridge Estates - Section "A", said corner also being on the northerly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B1 (1938) Huntington - Fort Wayne Road); thence southwesterly along the northerly right-of-way of said U.S. Highway No. 24 to its intersection with the west line of the SE 1/4 of the SW 1/4 of Section 27, T30N, R11E, 2nd P.M., Allen County, Indiana; thence southerly along the west line of the SE 1/4 of the SW 1/4 of said Section 27, said line also being the west boundary of the Hamlets of Woodland Ridge - Section VIII (Plat Cabinet B, page 73, Office of the Allen County Recorder) to the southwest corner of Block "Q" in the Hamlets of Woodland Ridge - Section VIII; thence northeasterly along the south boundary of the Hamlets of Woodland Ridge - Section VIII (Plat Cabinet A, page 85, Office of the Allen County Recorder), the north right-of-way of the former interurban to its intersection with the north line of the SW 1/4 of Section 26, T30N, R11E, 2nd P.M.; thence westerly along the north line of the SW 1/4 of said Section 26 to the southeast corner of Lot 65, Manor Woods (Plat Book 23, page 19, Office of the Allen County Recorder) said corner also being on the east line of the W ½ of the NW 1/4 of Section 26, T30N, R11E, 2nd P.M.; thence northerly along the east boundary of Manor Woods to the northeast corner of Lot 59, Manor Woods, said corner also being on the southeasterly right-of-way of U.S. Highway No. 24; thence

northeasterly along the southeasterly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B1 (1938) Huntington-Fort Wayne Road) to its intersection with the southerly right-of-way of Engle Road Extended (Allen County Highway Department Project No. CX 15875 (1980)); thence southeasterly and easterly along the southerly right-of-way of Engle Road extended to its intersection with the northwesterly line of the former Fort Wayne and Wabash Valley Traction Company right-of-way; thence northeasterly through the right-of-way of Engle Road Extended to the southwest corner of Jefferson Place - Phase II (Condominium Book 9, pages 58-59, Office of the Allen County Recorder) said corner also being on the northerly right-of-way of Engle Road Extended; thence northeasterly along the easterly boundary of Jefferson Place - Phase II to the northeast corner of Jefferson Place - Phase II; thence continuing northeasterly along the northerly line of the former Indiana Service Corporation Electric Railway, said line also being the southerly right-of-way of Garland Street in Hazelhurst Extended (Plat Book B, page 106, Office of the Allen County Recorder) and Hazelhurst (Plat Book 12, page 46, Office of the Allen County Recorder) and the southerly right-of-way of Taylor Road (Street) in the plat of Highland Garden Addition (Plat Book 8, page 62, Office of the Allen County Recorder) and Country Club Gardens Addition (Plat Book 8, page 58, Office of the Allen County Recorder) to its intersection with the east line of the SW 1/4 of Section 18, T30N, R12E, 2nd P.M.; thence northerly along the east line of the SW 1/4 of said Section 18, said line also being the east boundary of said Country Club Gardens Addition to the southwest corner of Lot 7, Langford Oaks Addition - Section "A" (Plat Book 19, page 159, Office of the Allen County Recorder); thence easterly along the south boundary of Langford Oaks Addition - Section "A" (Lot 7 and Lot 8) to the southeast corner of Lot 8, Langford Oaks Addition - Section "A"; thence northerly along the east boundary of Langford Oaks Addition - Section "A" (Lot 8 and Lot 9) to the northeast corner of Lot 9, Langford Oaks Addition - Section "A"; thence easterly along the south boundary of Langford Oaks Addition - Section "A" (Lot 19 and Lot 20) to the southeast corner of Lot 20, Langford Oaks Addition - Section "A", said corner also being on the west right-of-way line of Fountain Avenue (Glendale Acres Suburban Addition to the City of Fort Wayne, Allen County, Indiana, Plat Book 4, pages 59-60, Office of the Allen County Recorder); thence southerly along the west right-of-way of Fountain Avenue, platted and dedicated in the plat of said Glendale Acres Suburban Addition, said line also being a portion of the West of Smith Road Annexation (Annexation Ordinance No. X-01-96, Office of the City Clerk of the City of Fort Wayne, Indiana) to a point 848.5 feet south of the south right-of-way of Engle Road Extended, said point also being the intersection of the west right-of-way of Fountain Avenue with a portion of the north boundary with said West of Smith Road Annexation; thence easterly along a portion of the north boundary of said West of Smith road Annexation to the center line (Thalweg) of the Junk Ditch; thence northeasterly along a portion of the westerly boundary of said West of Smith Road Annexation, said line also being the center line (Thalweg) of the Junk Ditch to the north line of the lands of Victory Waste, Inc. (Document No. 95-004735, Office of the Allen County Recorder); thence easterly along the north line of the lands of Victory Waste,

Inc. and said north line extended easterly, said line also being a portion of the north boundary of said West of Smith Road Annexation, to its intersection with the east right-of-way of Smith Road, said intersection also being on the west boundary of the Engle Ridge West Annexation Area (Annexation Ordinance No. X-04-86, Office of the City Clerk of the City of Fort Wayne, Indiana); thence northerly along the east right-of-way of Smith Road, said line being a portion of the west boundary of said Engle Ridge West Annexation Area and also a portion of the west boundary of the Country Club Annexation (Annexation Ordinance No. X-03-81, Office of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition (Plat Book 4, pages 59-60, Office of the Allen County Recorder) extended easterly, said intersection also being the southeast corner of the Canterbury School Annexation Area (Annexation Ordinance X-08-86, Office of the City Clerk of the City of Fort Wayne, Indiana); thence westerly along a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition extended easterly, a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition, said line also being a portion of the south boundary of said Canterbury School Annexation, to a point on the west boundary line of Lot 4, Glendale Acres Suburban Addition, 6.2 feet south of the northwest corner of Lot 4, Glendale Acres Suburban Addition; thence northerly along west boundary of Lot 4, Glendale Acres Suburban Addition, said line also being a portion of the west boundary of said Canterbury School Annexation, to the northwest corner of Lot 4, Glendale Acres Suburban Addition, said corner also being the southeast corner of Lot 17, Glendale Acres Suburban Addition; thence westerly along the south boundary of Lot 17, Glendale Acres Suburban Addition, said line also being a portion of the south boundary of said Canterbury School Annexation, to the southwest corner of Lot 17, Glendale Acres Suburban Addition, said corner also being on the east right-of-way of Anneta Avenue as platted and dedicated in the plat of Glendale Acres Suburban Addition; thence northerly along the east right-of-way of Anneta Avenue, said line also being a portion of the west boundary of said Canterbury School Annexation, and said east right-of-way of Anneta Avenue extended northerly to its intersection with the north right-of-way of Langford Lane (Charlotte Avenue in the plat of Glendale Acres Suburban Addition) said line also being on the south boundary of Rousseau's Country Club Addition (Plat Book 6, page 66, Office of the Allen County Recorder) and also being on a portion of the south boundary of said Country Club Annexation; thence westerly along the south boundary of Rousseau's Country Club Addition, said line also being a portion of the south boundary of said Country Club Annexation and the north boundary of Langford Oaks Addition - Section "A" (Plat Book 19, page 159, Office of the Allen County Recorder), said line also being a portion of the south boundary of said Country Club Annexation, to the southwest corner of Lot 211, Country Club View Addition (Plat Book 11, page 97, Office of the Allen County Recorder); thence northerly along the west boundary of Lot 200 through 211 in the Country Club View Addition; said line also being a portion of the west boundary of said Country Club Annexation, to the northwest corner of Lot 200, Country Club View Addition, said corner also being the southwest corner of Lot 199, Country Club

View Addition; thence northwesterly along the west boundary of Lot 199, Country Club View Addition, said line also being a portion of the west boundary of said Country Club Annexation to the northwest corner of Lot 199, Country Club View Addition, said corner also being on the southeasterly right-of-way of Richland Drive as platted and dedicated in the plat of Country Club View Addition; thence northeasterly along the southerly right-of-way of Richland Drive, said line also being a portion of the boundary of said Country Club Annexation, to its intersection with the west right-of-way of Fairway Drive as platted and dedicated in the plat of Country Club View Addition; thence northerly along the west right-of-way of Fairway Drive, said line also being a portion of the west boundary of said Country Club Annexation, to its intersection with the southeasterly right-of-way of South Bend Drive (called Huntington Road in the plat of Country Club View Addition); thence northeasterly along the southerly right-of-way of South Bend Drive, said line also being a portion of the west boundary of said Country Club Annexation, to its intersection with the south right-of-way of Covington Road; thence westerly along the south right-of-way of Covington Road, said line also being a portion of the south boundary of Westwood Annexation Study Area (Annexation Ordinance No. X-32-69, Office of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with the east boundary of Lot 8, Country Club Hills (Plat Book 12, page 39, Office of the Allen County Recorder), said intersection also being the northeast corner of the Covington Road Annexation Area (Annexation Ordinance No. X-07-83, Office of the City Clerk of the City of Fort Wayne, Indiana); thence southerly along the east boundary of Lot 8, Country Club Hills, said line also being the east boundary of said Covington Road Annexation, to the southeast corner of Lot 8, Country Club Hills; thence westerly along the south boundary lines of Lots 8 through 15, Country Club Hills, said line also being the south boundary of said Covington Road Annexation, to the southwest corner of Lot 15, Country Club Hills, said corner being on the east right-of-way of Bellaire Drive as platted and dedicated in the plat of Country Club Hills; thence northerly along the east right-of-way of Bellaire Drive to its intersection with the southeasterly right-of-way of West Jefferson Boulevard, said intersection also being on a portion of the boundary of the Skinner-Broadbent Amended Annexation Area (Annexation Ordinance No. X-04-88, Office of the City Clerk of the City of Fort Wayne, Indiana); thence southwesterly along the southerly right-of-way of West Jefferson Boulevard, said line also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, to a point located on the southerly right-of-way of West Jefferson Boulevard 219 feet, more or less, northeasterly of the intersection of the west boundary line of Lot 4, Rousseau's Third Garden Addition (Plat Book 6, page 65, Office of the Allen County Recorder) with the southerly right-of-way of West Jefferson Boulevard; thence southeasterly (S40^0 34'E - 676.0 feet, deed) along a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, through Lot 4, Lot 3 and Lot 2 in Rousseau's Third Garden Addition to its intersection with the center line (Thalweg) of the Flaugh Ditch; thence southwesterly along the center line (Thalweg) of the Flaugh Ditch, said ditch center line (Thalweg) also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, to its intersection with the west line of the

NW 1/4 of Section 18, T30N, R12E, 2nd P.M.; thence northerly along the west line of the NW 1/4 of said Section 18, said line being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area and a portion of the boundary of the Colony Bay Annexation Area (Annexation Ordinance No. X-04-82, Office of the City Clerk, of the City of Fort Wayne, Indiana); thence continuing northerly along the west line of Section 7, T30N, R12E, 2nd P.M., said line also being a portion of the boundary of said Colony Bay Annexation Area to its intersection with the south line of the NE 1/4 of Section 12, T30N, R11E, 2nd P.M., said intersection being on the south boundary of the Magnavox Way Annexation Area (Annexation Ordinance No. X-03-82, Office of the City Clerk of the City of Fort Wayne, Indiana); thence westerly along the south line of the NE 1/4 of said Section 12, said line also being a portion of the south boundary of said Magnavox Way Annexation Area, to its intersection with the east right-of-way of Interstate 69 (Indiana State Highway I Project No. 69-4 (13) 105, 1959); thence northeasterly and easterly along the easterly right-of-way of Interstate 69 and Interstate 69 Interchange (southeast quadrant, Indiana State Highway I Project No. 69-4-(13) 105, 1959), said line also being a portion of the boundary of said Magnavox Way Annexation Area, to its intersection with the south right-of-way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence easterly along the south right-of-way of Illinois Road, said line also being a portion of the boundary of said Magnavox Way Annexation Area, to a point south of and normal to survey line 'S-14-A' (Indiana State Highway I Project No. 69-4 (13) 105, 1959) and through Station 61 + 52.35 on said line 'S-14-A'; thence northerly through the right-of-way of Illinois Road, said line also being a portion of the boundary of said Magnavox Way Annexation Area, to a obliterated concrete right-of-way marker (103 feet normal distance north of station 61 +52.35 on said line 'S-14-A') approximately 1,306 feet west and 103 feet north of the southeast corner of the southeast corner of the SW 1/4 of Section 6, T30N, R12E, 2nd P.M., said obliterated concrete right-of-way marker also being on the south boundary of the Poplar Ridge Annexation Area (Annexation Ordinance No. X-06-94, Office of the City Clerk of the City of Fort Wayne, Indiana); thence westerly, northwesterly and northerly along the easterly right-of-way of the Illinois Road (formerly Indiana State Road 14) and Interstate 69 Interchange (northeast quadrant, Indiana State Highway I Project No. 69-4 (13) 105, 1959) and the easterly right-of-way of Interstate 69, said line also being a portion of the boundary of said Poplar Ridge Annexation Area, to the point of beginning.

Said territory is outlined in the map attached as Exhibit A.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police

protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistnt with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on February 28, 1997. In the event of litigation challenging the ordinance, the territory shall become part of the City the first 28th day of February following any final judicial decision resolving any legal challenge to the ordinance in favor of the City.

THE PUBLIC IS INVITED TO APPEAR BEFORE COMMON COUNCIL AND EXPRESS THEIR VIEWS.

FORT WAYNE COMMON COUNCIL

SANDRA E. KENNEDY
CITY CLERK

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

FORT WAYNE COMMON COUNCIL
NOTICE OF A PUBLIC HEARING
ANNEXATION ORDINANCE

BILL NO. X-96-11-31
SOUTHWEST ANNEXATION AREA

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, NOVEMBER 26, 1996 AT 7:00 P.M., IN THE COMMON COUNCIL CHAMBERS ROOM 126, CITY-COUNTY BUILDING, ONE MAIN STREET, 1ST FLOOR, FORT WAYNE, INDIANA, CONCERNING THE FOLLOWING

AN ORDINANCE annexing certain territory commonly known as the Southwest Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to wit:

Part of T30N, R11E, 2nd P.M., Aboite Civil Township, Allen County, Indiana, and part of T30N, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the easterly right-of-way of Interstate 69 (Indiana State Highway I Project No. 69-4 (13) 105, 1959) with the northerly line of Poplar Ridge Addition (Plat Book 20, page 53, Office of the Allen County Recorder) extended westerly; thence northerly along the east right-of-way of Interstate 69 to its intersection with the south right-of-way of the Norfolk and Southern Railroad; thence westerly and northwesterly along the south right-of-way of the Norfolk and Southern Railroad, said south right-of-way also being the north boundary of Westlawn, Sections "E" and "F" (Plat Book 23, page 119, Office of the Allen County Recorder), the north boundary of Westlawn, Section "C" (Plat Book 23, page 41, Office of the Allen County Recorder) and the north boundary of Westlawn Section "B" Plat Book 23, page 40, Office of the Allen County Recorder), to the west right-of-way of Hadley Road; thence southerly along the west right-of-way of Hadley Road to the northeast corner of Lot 20, re-recorded plat of Edgemont Addition (Plat Book 19, page 166, Office of the Allen County Recorder), said corner also being on the north line of the south half of the north half of the SW 1/4 of Section 1, T30N, R11E, 2nd P.M.; thence westerly along the north line of the south half of the north half of the SW 1/4 of section 1, T30N, R11E, 2nd P.M., said line also being a portion of the north boundary of Abbey Place - Section Two (Plat Cabinet B, page 93, Office of the Allen County Recorder) to the east line of the SE 1/4 of Section 2, T30N, R11E, 2nd P.M.; thence southerly along the east line of the SE 1/4 of said Section 2, said line also being a portion of the west boundary of said Abbey Place - Section two to the northeast corner of Lot 35, the Falls of Beaver Creek - Section I (Plat Cabinet C, page 52, Office of the Allen County Recorder); thence westerly along the north boundary of Lot 35, The Falls of Beaver Creek - Section I and said north boundary extended westerly to the northwest corner of Deer Cliff Run in the Falls of Beaver Creek - Section I; thence southerly along the west right-of-way of said Deer Cliff Run to the northeast corner of Lot 34, the Falls of Beaver Creek - Section I; thence westerly along the north boundary of Lot 34, the Falls of Beaver Creek - Section I to - the northwest corner of said Lot 34, the Falls of Beaver Creek - Section I, thence southerly along the west boundary of Lot 34, Lot 33, Lot 32 and a portion of Lot 31, all in the Falls of Beaver Creek - Section I to the north boundary of Block "E" in the Falls of Beaver Creek - Section I; thence westerly along the north boundary of Block "E" in the Falls of Beaver Creek - Section I to its intersection with the easterly boundary of Lot 18, the Falls of Beaver Creek - Section I; thence northeasterly along a portion of the easterly boundary of Lot 18 and a portion of the easterly boundary of Lot 17, the Falls of Beaver Creek - Section I to the easterly corner of said Lot 17; thence northwesterly along a portion of the easterly boundary of Lot 17 and the easterly boundary of Lot 16, the Falls of Beaver Creek - Section I to the northeast corner of said Lot 16; thence westerly along the north boundary of Lot 16 and Lot 15 in the Falls of Beaver Creek - Section I to the northwest corner of said Lot 15, said corner also being on the east boundary of Whispering Meadows - Section V (Plat Cabinet B, page 196, Office of the Allen County Recorder); thence northerly along a portion of the east boundary of Whispering Meadows - Section V to the northeast corner of Lot 274, Whispering Meadows - Section V; thence westerly along the north boundary of Whispering Meadows - Section V and a portion of Whispering Meadows - Section II (Plat Cabinet B, page 108, Of fice of the Allen County Recorder) to the southeast corner of Lot 6, Whispering Woods - Section I (Plat Cabinet C, page 31, Office of the Allen County Recorder); thence northerly along the east boundary of Whispering Woods - Section I to the northeast corner of Lot 12, Whispering Woods - Section I, said corner also being on the south right-of-way of the Norfolk and Southern Railroad; thence westerly along the north boundary of Whispering Woods - Section I and the north boundary of Whispering Woods - Section III (Plat Cabinet C, page 65, Of fice of the Allen County Recorder) to the northwest corner of Lot 112, Whispering Woods - Section III; thence northerly along the east boundary of Whispering Woods - Section II (Plat Cabinet C, page 66, Office of the Allen County Recorder) to the northeast corner of Block "A" Whispering Woods - Section II; thence westerly along the north boundary of Block "A" Whispering Woods - Section II, said line also being the south right-of-way of the Norfolk and Southern Railroad, to the northwest corner of Block "A" Whispering Woods - Section II; thence southerly along the west boundary of the secondary plat of Whispering Woods - Section II to the southwest corner of Lot 88, Whispering Woods - Section II; thence westerly along the north boundary of Shorewood Section VII extended (Plat Cabinet B, page 189, Of fice of the Allen County Recorder) and the north boundary of Shorewood - Section VII (Plat Cabinet B, page 179, Of fice of the Allen County Recorder) to the northwest corner of the Nature Preserve in Shorewood - Section VII; thence southerly along the west boundary of the Nature
Preserve in Shorewood - Section VII, the west boundary of Shorewood - Section V (Plat Cabinet B, page 112, Of fice of the Allen County Recorder), the west boundary of Shorewood - Section VI (Plat Cabinet B, page 143, Of fice of the Allen County Recorder) and the west line of the east half of the west half of the SE 1/4 of Section 3, T30N, RIIE, 2nd P.M., Allen County, Indiana to the north right-of-way of State Road No. 14 (Illinois Road); thence westerly along the north right-of-way of State Road No. 14 (Illinois Road) to its intersection with the west boundary line of Lot 198, Lot 197 and the common area north of and adjacent to Lot 197 in Sycamore Hills - Section 6 (Plat Cabinet A, page 110, Office of the Allen County Recorder) extended northerly; thence southerly on said west boundary line of Lot 198, Lot 197 and the common area north of adjacent to Lot 197 in Sycamore Hills - Section 6 extended northerly and said west boundary line to the southwest corner of Lot 198, Sycamore Hills - Section 6; thence westerly along the north boundary of Sycamore Hills - Section 6 (as established by Lot 199, Lot 200 and Lot 201) to the northwest corner of Lot 201, Sycamore Hills - Section 6; thence southwesterly along the west boundary of Sycamore Hills - Section 6, the west boundary of Sycamore Hills, Section 7 (Plat Book A, page 181, Office of the Allen County Recorder) and the west boundary of Sycamore Hills - Section 8 (Plat Cabinet B, page 53, Office of the Allen County Recorder) to an angle point on the west side of Lot 277, Sycamore Hills - Section 8; thence westerly along the north boundary of Lot 277, Sycamore Hills - Section 8 to the west boundary of Lot 277, Sycamore Hills - Section 8; thence southerly along the west boundary of Sycamore Hills - Section 8 and said west boundary of Sycamore Hills - Section 8 extended southerly to its intersection with the south right-of-way of the Covington Road; thence easterly along the south right- of-way of the Covington Road to its intersection with the west right-of-way of the Homestead Road; thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way line of the Aboite Center Road; thence easterly along the south right-of-way line of the Aboite Center Road to its intersection with the west boundary of the Plantation of Aboite - Section II (Plat Book 40, page 92 (Doc. No. 78-5758) Office of the Allen County Recorder); thence southerly along the west boundary of the Plantation of Aboite - Section II and the Plantation of Aboite - Section I (Plat Book 39, page 73 (Doc. No. 77-15733) Office of the Allen County Recorder) to the southwest corner of Lot 11, the Plantation of Aboite - Section I; thence westerly along the north line of Kekionga Shores (Plat Book 29, pages 13-17, Office of the Allen County Recorder) and the north boundary of Homestead Acres - Section I (Plat Book 41, page 37 (Doc. No. 78-18418) Of fice of the Allen County Recorder) to the northwest corner of Lot 11, Homestead Acres - Section I; thence southerly along the west boundary of Homestead Acres - Section I to the north boundary of the Homesteads - Section I (Plat Cabinet B, page 128, Of fice of the Allen County Recorder); thence westerly along north boundary of the Homesteads - Section I (Lot 59 thru Lot 64) to the northwest corner of Lot 64, the Homesteads - Section I; thence southerly along the west boundary of the Homesteads - Section I (Lot 64 thru Lot 69) to the northeast corner of Lot 37, the Homesteads - Section I; thence westerly along the north boundary of the Homesteads - Section I (Lot 37 thru Lot 41) and said north boundary of the Homesteads - Section I Extended westerly to its intersection with the west right-of-way of the Homestead Road;
thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way of Liberty Mills Road; thence easterly along the south right- of-way of Liberty Mills Road to its intersection with the west boundary of the Glens of Liberty Mills - Section I (Plat Cabinet A, page 41, Office of the Allen County Recorder); thence southerly along the west boundary of the Glens of Liberty Mills - Section I to the north boundary of Glens of Liberty Mills - Section II (Plat Cabinet B, page 56, Office of the Allen County Recorder); thence westerly along the north boundary of Glens of Liberty Mills - Section II to the northwest corner of Lot 109, Glens of Liberty Mills - Section II; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 106 thru Lot 109) to the southwest corner of Lot 106, Glens of Liberty Mills - Section II, said corner being on the north boundary of Lot 105, Glens of Liberty Mills - Section II; thence westerly along the north boundary of Lot 105, Glens of Liberty Mills - Section II to the northwest corner of said Lot 105; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 105, Lot 104 and Block "A") to the southwest corner of Block "A" in the Glens of Liberty Mills - Section II; thence easterly along the south boundary of Glens of Liberty Mills - Section II, said line also being a portion of the north boundary line of Sheffield Woods (Plat Cabinet A, page 40, Of fice of the Allen County Recorder) to the west boundary of said Glens of Liberty Mills - Section I; thence southerly on the west boundary of said Glens of Liberty Mills - Section I to the southwest corner of Lot 56, Glens of Liberty Mills - Section I; said corner also being the northwest corner of Lot 56, Forest Ridge Estates - Section "C" (Plat Book 29, pages 118- 120, Office of the Allen County Recorder); thence easterly along the north boundary of Forest Ridge Estates - Section "C", the north boundary of Forest Ridge Estates - Section "A" (Plat Book 23, pages 44-45, Office of the Allen County Recorder) to the northeast corner of Lot 15, Forest Ridge Estates - Section "A", said corner also being on the northerly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B1 (1938) Huntington - Fort Wayne Road); thence southwesterly along the northerly right-of-way of said U.S. Highway No. 24 to its intersection with the west line of the SE 1/4 of the SW 1/4 of Section 27, T30N, RIIE, 2nd P.M., Allen County, Indiana; thence southerly along the west line of the SE 1/4 of the SW 1/4 of said Section 27, said line also being the west boundary of the Hamlets of Woodland Ridge - Section VIII (Plat Cabinet B, page 73, Office of the Allen County Recorder) to the southwest corner of Block "Q" in the Hamlets of Woodland Ridge - Section VIII; thence northeasterly along the south boundary of the Hamlets of Woodland Ridge - Section VIII (Plat Cabinet A, page 85, Office of the Allen County Recorder), the north right-of-way of the former interurban to its intersection with the north line of the SW 1/4 of section 26, T30N, RIIE, 2nd P.M.; thence westerly along the north line of the SW 1/4 of said Section 26 to the southeast corner of Lot 65, Manor Woods (Plat Book 23, page 19, Office of the Allen County Recorder) said corner also being on the east line of the W 1/2 of the NW 1/4 of Section 26, T30N, R11E, 2nd P.M.; thence northerly along the east boundary of Manor Woods to the northeast corner of Lot 59, Manor Woods, said corner also being on the southeasterly right-of-way of U.S. Highway No. 24; thence northeasterly along the southeasterly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B 1 (1938) Huntington-Fort Wayne Road) to its intersection with the southerly right-of-way of Engle Road Extended (Allen County Highway Department Project No. CX 15875 (1980)); thence southeasterly and easterly along the southerly right-of-way of Engle Road extended to its intersection with the northwesterly line of the former Fort Wayne and Wabash Valley Traction Company right-of-way; thence northeasterly through the right-of- way of Engle Road Extended to the southwest corner of Jefferson Place - Phase II (Condominium Book 9, pages 58-59, Office of the Allen County Recorder) said corner also being on the northerly right-of-way of Engle Road Extended; thence northeasterly along the easterly boundary of Jefferson Place - Phase II to the northeast corner of Jefferson Place - Phase II; thence continuing northeasterly along the northerly line of the former Indiana Service Corporation Electric Railway, said line also being the southerly right-of-way of Garland Street in Hazelhurst Extended (Plat Book 8, page 106, Office of the Allen County Recorder) and Hazelhurst (Plat Book 12, page 46, Office of the Allen County Recorder) and the southerly right-of- way of Taylor Road (Street) in the plat of Highland Garden Addition (Plat Book 8, page 62, Office of the Allen County Recorder) and Country Club Gardens Addition (Plat Book 8, page 58, Office of the Allen County Recorder) to its intersection with the east line of the SW 1/4 of Section 18, T30N, R12E, 2nd P.M.; thence northerly along the east line of the SW 1/4 of said Section 18, said line also being the east boundary of said Country Club Gardens Addition to the southwest corner of Lot 7, Langford Oaks Addition - Section "A" (Plat Book 19, page 159, Office of the Allen County Recorder); thence easterly along the south boundary of Langford Oaks Addition - Section "A" (Lot 7 and Lot 8) to the southeast corner of Lot 8, Langford Oaks Addition - Section "A"; thence northerly along the east boundary of Langford Oaks Addition - Section "A" (Lot 8 and Lot 9) to the northeast corner of Lot 9, Langford Oaks Addition - Section "A"; thence easterly along the south boundary of Langford Oaks Addition - Section "A" (Lot 19 and Lot 20) to the southeast corner of Lot 20, Langford Oaks Addition - Section "A", said corner also being on the west right-of-way line of Fountain Avenue (Glendale Acres Suburban Addition to the City of Fort Wayne, Allen County, Indiana, Plat Book 4, pages 59-60, Office of the Allen County Recorder); thence southerly along the west right-of-way of Fountain Avenue, platted and dedicated in the plat of said Glendale Acres Suburban Addition, said line also being a portion of the West of Smith Road Annexation (Annexation Ordinance No. X-01-96, Office of the City Clerk of the City of Fort Wayne, Indiana) to a point 848.5 feet south of the south right-of-way of Engle Road Extended, said point also being the intersection of the west right-of-way of Fountain Avenue with a portion of the north boundary with said West of Smith Road Annexation; thence easterly along a portion of the north boundary of said West of Smith road Annexation to the center line (Thalweg) of the Junk Ditch; thence northeasterly along a portion of the westerly boundary of said West of Smith Road Annexation, said line also being the center line (Thalweg) of the Junk Ditch to the north line of the lands of Victory Waste, Inc. (Document No. 95-004735, Office of the Allen County Recorder); thence easterly along the north line of the lands of Victory Waste, Inc and said north line extended easterly, said line also being a portion of the north boundary of said West of Smith Road Annexation, to its intersection with the east right-of-way of Smith Road, said intersection also being on the west boundary of the Engle Ridge West Annexation Area (Annexation Ordinance No. X-04-86, Office of the City Clerk of the City of Fort Wayne, Indiana); thence northerly along the east right-of-way of Smith Road, said line being a portion of the west boundary of said Engle Ridge West Annexation Area and also a portion of the west boundary of the Country Club Annexation (Annexation Ordinance No. X-03-81, Of fice of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition (Plat Book 4, pages 59-60, Office of the Allen County Recorder) extended easterly, said intersection also being the southeast corner of the Canterbury School Annexation Area (Annexation Ordinance X-08-86, Of fice of the City Clerk of the City of Fort Wayne, Indiana); thence westerly along a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition extended easterly, a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition, said line also being a portion of the south boundary of said Canterbury School Annexation, to a point on the west boundary line of Lot 4, Glendale Acres Suburban Addition, 6.2 feet south of the northwest corner of Lot 4, Glendale Acres Suburban Addition; thence northerly along the west boundary of Lot 4, Glendale Acres Suburban Addition, said line also being a portion of the west boundary of said Canterbury School Annexation, to the northwest corner of Lot 4, Glendale Acres Suburban Addition, said corner also being the southeast corner of Lot 17, Glendale Acres Suburban Addition; thence westerly along the south boundary of Lot 17, Glendale Acres Suburban Addition, said line also being a portion of the south boundary of said Canterbury School Annexation, to the southwest corner of Lot 17, Glendale Acres Suburban Addition, said corner also being on the east right-of-way of Anneta Avenue as platted and dedicated in the plat of Glendale Acres Suburban Addition; thence northerly along the east right-of-way of Anneta Avenue, said line also being a portion of the west boundary of said Canterbury School Annexation, and said east right-of-way of Anneta Avenue extended northerly to its intersection with the north right-of-way of Langford Lane (Charlotte Avenue in the plat of Glendale Acres Suburban Addition) said line also being on the south boundary of Rousseau's Country Club Addition (Plat Book 6, page 66, Office of the Allen County Recorder) and also being on a portion of the south boundary of said Country Club Annexation; thence westerly along the south boundary of Rousseau's Country Club Addition, said line also being a portion of the south boundary of said Country Club Annexation and the north boundary of Langford Oaks Addition - Section "A" (Plat Book 19, page 159, Of fice of the Allen County Recorder), said line also being a portion of the south boundary of said Country Club Annexation, to the southwest corner of Lot 211, Country Club View Addition (Plat Book 11, page 97, Office of the Allen County Recorder); thence northerly along the west boundary of Lot 200 through 211 in the Country Club View Addition; said line also being a portion of the west boundary of said Country Club Annexation, to the northwest corner of Lot 200, Country Club View Addition, said corner also being the southwest corner of Lot 199, Country Club
View Addition; thence northwesterly along the west boundary of Lot 199, Country Club View Addition, said line also being a portion of the west boundary of said Country Club Annexation to the northwest corner of Lot 199, Country Club View Addition, said corner also being on the southeasterly right-of-way of Richland Drive as platted and dedicated in the plat of Country Club View Addition; thence northeasterly along the southerly right-of-way of Richland Drive, said line also being a portion of the boundary of said Country Club Annexation, to its intersection with the west right-of-way of Fairway Drive as platted and dedicated in the plat of Country Club View Addition; thence northerly along the west right-of-way of Fairway Drive, said line also being a portion of the west boundary of said Country Club Annexation, to its intersection with the southeasterly right-of-way of South Bend Drive (called Huntington Road in the plat of Country Club View Addition); thence northeasterly along the southerly right-of-way of South Bend Drive, said line also being a portion of the west boundary of said Country Club Annexation, to its intersection with the south right-of-way of Covington Road; thence westerly along the south right-of-way of Covington Road, said line also being a portion of the south boundary of Westwood Annexation Study Area (Annexation Ordinance No. X-32-69, Office of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with the east boundary of Lot 8, Country Club Hills (Plat Book 12, page 39, Office of the Allen County Recorder), said intersection also being the northeast corner of the Covington Road Annexation Area (Annexation Ordinance No. X-07-83, Office of the City Clerk of the City of Fort Wayne, Indiana); thence southerly along the east boundary of Lot 8, Country Club Hills, said line also being the east boundary of said Covington Road Annexation, to the southeast corner of Lot 8, Country Club Hills; thence westerly along the south boundary lines of Lots 8 through 15, Country Club Hills, said line also being the south boundary of said Covington Road Annexation, to the southwest corner of Lot 15, Country Club Hills, said corner being on the east right-of-way of Bellaire Drive as platted and dedicated in the plat of Country Club Hills; thence northerly along the east right-of-way of Bellaire Drive to its intersection with the southeasterly right-of-way of West Jefferson Boulevard, said intersection also being on a portion of the boundary of the Skinner-Broadbent Amended Annexation Area (Annexation Ordinance No. X-04-88, Of fice of the City Clerk of the City of Fort Wayne, Indiana); thence southwesterly along the southerly right-of- way of West Jefferson Boulevard, said line also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, to a point located on the southerly right-of-way of West Jefferson Boulevard 219 feet, more or less, northeasterly of the intersection of the west boundary line of Lot 4, Rousseau's Third Garden Addition (Plat Book 6, page 65, Of fice of the Allen County Recorder) with the southerly right-of-way of West Jefferson Boulevard; thence southeasterly (S40° 34'E - 676.0 feet, deed) along a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, through Lot 4, Lot 3 and Lot 2 in Rousseau's Third Garden Addition to its intersection with the center line (Thalweg) of the Flaugh Ditch; thence southwesterly along the center line (Thalweg) of the Flaugh Ditch, said ditch center line (Thalweg) also being a portion of the boundary of said Skinner- Broadbent Amended Annexation Area, to its intersection with the west line of the NW 1/4 of Section 18, T30N, R12E, 2nd P.M., thence northerly along the west line of the NW 1/4 of said Section 18, said line being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area and a portion of the boundary of the Colony Bay Annexation Area (Annexation Ordinance No. X-04-82, Office of the City Clerk, of the City of Fort Wayne, Indiana); thence continuing northerly along the west line of Section 7, T30N, R12E, 2nd P.M., said line also being a portion of the boundary of said Colony Bay Annexation Area to its intersection with the south line of the NE 1/4 of Section 12, T30N, RI IE, 2nd P.M., said intersection being on the south boundary of the Magnavox Way Annexation Area (Annexation Ordinance No. X-03-82, Office of the City Clerk of the City of Fort Wayne, Indiana);
thence westerly along the south line ofthe NE 1/4 of said Section 12, said line also being a portion of the south boundary of said Magnavox Way Annexation Area, to its intersection with the east right-of-way of Interstate 69 (Indiana State Highway I Project No. 69-4 (13) 105, 1959); thence northeasterly and easterly along the easterly right-of-way of Interstate 69 and Interstate 69 Interchange (southeast quadrant, Indiana State Highway I Project No. 69-4-(13) 105, 1959), said line also being a portion of the boundary of said Magnavox Way Annexation Area, to its intersection with the south right-of-way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence easterly along the south right-of-way of Illinois Road, said line also being a portion of the boundary of said Magnavox Way Annexation Area, to a point south of and normal to survey line 'S- 14-A' (Indiana State Highway I Project No. 69-4 (13) 105, 1959) and through Station 61 plus 52.35 on said line 'S-14- A'; thence northerly through the right-of-way of Illinois Road, said line also being a portion of the boundary of said Magnavox Way Annexation Area, to a obliterated concrete right-of-way marker (103 feet normal distance north of station 61 plus 52.35 on said line 'S-14-A') approximately 1,306 feet west and 103 feet north of the southeast corner ofthe southeast corner ofthe SW 1/4 of Section 6, T30N, R12E, 2nd P.M., said obliterated concrete right-of-way marker also being on the south boundary of the Poplar Ridge Annexation Area (Annexation Ordinance No. X-06-94, Of ice of the City Clerk of the City of Fort Wayne, Indiana); thence westerly, northwesterly and northerly along the easterly right-of-way of the Illinois Road (formerly Indiana State Road 14) and Interstate 69 Interchange (northeast quadrant, Indiana State Highway I Project No. 69-4 (13) 105, 1959) and the easterly right-of-way of Interstate 69, said line also being a portion of the boundary of said Poplar Ridge Annexation Area, to the point of beginning.
Said territory is outlined in the map attached as Exhibit A.

SECTION 2. That the city of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital naturé, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided in areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on February 28, 1997. In the event of litigation challenging the ordinance, the territory shall become part of the City the first 28th day of February following any final judicial decision resolving any legal challenge to the ordinance in favor of the City.

THE PUBLIC IS INVITED TO APPEAR BEFORE COMMON COUNCIL AND EXPRESS THEIR VIEWS.

FORT WAYNE COMMON COUNCIL
SANDRA E. KENNEDY
CITY CLERK

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

11-16 #314090 **(PART 8 OF 8) #132**

Open-house guide, Fridays in The Journal-Gazette

Form Prescribed by State Board of Accounts — General Form No. 99P (Revised 1987)

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The Journal-Gazette Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines _____

Head -- number of lines _____

Body -- number of lines _____

Tail -- number of lines _____

Total number of lines in notice _____

COMPUTATION OF CHARGES

641 lines, 1 columns wide equals 641 equivalent lines at .346 cents per line $ 221.78

Additional charge for notices containing rule or tabular work (50 percent of above amount) _____

Charge for extra proofs of publication ($1.00 for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM $ 223.78

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L Smith

Date: NOV 16, 19 96 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

ATTACH COPY OF ADVERTISEMENT HERE

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

11-16-96

Julie L Smith

Subscribed and sworn to before me this 16th day of NOV, 19 96.

Mary L Schneider
Notary Public

My commission expires:

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP JUNE 14,1997

NOTICE OF A PUBLIC HEARING
ANNEXATION ORDINANCE

BILL NO. X-96-11-31
SOUTHWEST ANNEXATION AREA

NOTICE IS HEREBY GIVEN THAT THE FORT WAYNE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, WILL CONDUCT A PUBLIC HEARING ON TUESDAY, NOVEMBER 26, 1996 AT 7:00 P.M., IN THE COMMON COUNCIL CHAMBERS ROOM 126, CITY-COUNTY BUILDING, ONE MAIN STREET, 1ST FLOOR, FORT WAYNE, INDIANA, CONCERNING THE FOLLOWING

AN ORDINANCE annexing certain territory commonly known as the Southwest Annexation Area to Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to wit:

Part of T3ON, R11E, 2nd P.M., Aboite Civil Township, Allen County, Indiana, and part of T3ON, R12E, 2nd P.M., Wayne Civil Township, Allen County, Indiana, more particularly described as follows:

Beginning at the intersection of the easterly right-of-way of Interstate 69 (Indiana State Highway I Project No. 69-4 (13) 105, 1959) with the northerly line of Poplar Ridge Addition (Plat Book 20, page 53, Office of the Allen County Recorder) extended westerly; thence northerly along the east right-of-way of Interstate 69 to its intersection with the south right-of-way of the Norfolk and Southern Railroad; thence westerly and northwesterly along the south right-of-way of the Norfolk and Southern Railroad, said south right-of-way also being the north boundary of Westlawn, Sections "E" and "F" (Plat Book 23, page 119, Office of the Allen County Recorder), the north boundary of Westlawn, Section "C" (Plat Book 23, page 41, Office of the Allen County Recorder) and the north boundary of Westlawn Section "B" Plat Book 23, page 40, Office of the Allen County Recorder), to the west right-of-way of Hadley Road; thence southerly along the west right-of-way of Hadley Road to the northeast corner of Lot 20, re-recorded plat of Edgemont Addition (Plat Book 19, page 166, Office of the Allen County Recorder), said corner also being on the north line of the south half of the north half of the SW 1/4 of Section 1, T3ON, R11E, 2nd P.M.; thence westerly along the north line of the south half of the north half of the SW 1/4 of section 1, T3ON, R11E, 2nd P.M., said line also being a portion of the north boundary of Abbey Place - Section Two (Plat Cabinet B, page 93, Office of the Allen County Recorder) to the east line of the SE 1/4 of Section 2, T3ON, R11E, 2nd P.M.; thence southerly along the east line of the SE 1/4 of said Section 2, said line also being a portion of the west boundary of said Abbey Place - Section two to the northeast corner of Lot 35, the Falls of Beaver Creek - Section I (Plat Cabinet C, page 52, Office of the Allen County Recorder); thence westerly along the north boundary of Lot 35, The Falls of Beaver Creek - Section I and said north boundary extended westerly to the northwest corner of Deer Cliff Run in the Falls of Beaver Creek - Section I; thence southerly along the west right-of-way of said Deer Cliff Run to the northeast corner of Lot 34, the Falls of Beaver Creek - Section I; thence westerly along the north boundary of Lot 34, the Falls of Beaver Creek - Section I to - the northwest corner of said Lot 34, the Falls of Beaver Creek - Section I, thence southerly along the west boundary of Lot 34, Lot 33, Lot 32 and a portion of Lot 31, all in the Falls of Beaver Creek - Section I to the north boundary of Block "E" in the Falls of Beaver Creek - Section I; thence westerly along the north boundary of Block "E" in the Falls of Beaver Creek - Section I to its intersection with the easterly boundary of Lot 18, the Falls of Beaver Creek - Section I; thence northeasterly along a portion of the easterly boundary of Lot 18 and a portion of the easterly boundary of Lot 17, the Falls of Beaver Creek - Section I to the easterly corner of said Lot 17; thence northwesterly along a portion of the easterly boundary of Lot 17 and the easterly boundary of Lot 16, the Falls of Beaver Creek - Section I to the northeast corner of said Lot 16; thence westerly along the north boundary of Lot 16 and Lot 15 in the Falls of Beaver Creek - Section I to the northwest corner of said Lot 15, said corner also being on the east boundary of Whispering Meadows - Section V (Plat Cabinet B, page 196, Office of the Allen County Recorder); thence northerly along a portion of the east boundary of Whispering Meadows - Section V to the northeast corner of Lot 274, Whispering Meadows - Section V; thence westerly along the north boundary of Whispering Meadows - Section V and a portion of Whispering Meadows - Section II (Plat Cabinet B, page 108, Office of the Allen County Recorder) to the southeast corner of Lot 6, Whispering Woods - Section I (Plat Cabinet C, page 31, Office of the Allen County Recorder); thence northerly along the east boundary of Whispering Woods - Section I to the northeast corner of Lot 12, Whispering Woods - Section I, said corner also being on the south right-of-way of the Norfolk and Southern Railroad; thence westerly along the north boundary of Whispering Woods - Section I and the north boundary of Whispering Woods - Section III (Plat Cabinet C, page 65, Office of the Allen County Recorder) to the northwest corner of Lot 112, Whispering Woods - Section III; thence northerly along the east boundary of Whispering Woods - Section II (Plat Cabinet C, page 66, Office of the Allen County Recorder) to the northeast corner of Block "A" Whispering Woods - Section II, said corner also being on the southeasterly right-of-way of U.S. Highway No. 24; thence southwesterly along the northerly right-of-way of said U.S. Highway No. 24 to its intersection with the west line of the SE 1/4 of the SW 1/4 of Section 27, T3ON, RIIE, 2nd P.M., Allen County, Indiana; thence southerly along the west line of the SE 1/4 of the SW 1/4 of said Section 27, said line also being the west boundary of the Harnlets of Woodland Ridge - Section VIII (Plat Cabinet B, page 73, Off1ce of the Allen County Recorder) to the southwest corner of Block "Q" in the Hamlets of Woodland Ridge - Section VIII; thence northeasterly along the south boundary of the Hamlets of Woodland Ridge - Section VIII (Plat Cabinet A, page 85, Office of the Allen County Recorder), the north right-of-way of the former interurban to its intersection with the north line of the SW 1/4 of Section 26, T3ON, RIIE, 2nd P.M.; thence westerly along the north line of the SW 1/4 of said Section 26 to the southeast corner of Lot 65, Manor Woods (Plat Book 23, page 19, Office of the Allen County Recorder) said corner also being on the east line of the W I/2 of the NW 1/4 of Section 26, T3ON, R11E, 2nd P.M.; thence northerly along the east boundary of Manor Woods to the northeast corner of Lot 59, Manor Woods, said corner also being on the southeasterly right-of-way of U.S. Highway No. 24;

11--16 #313964 **(PART 3 OF 8)#132**

thence northeasterly along the southeasterly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B 1 (1938) Huntington-Fort Wayne Road) to its intersection with the southerly right-of-way of Engle Road Extended (Allen County Highway Department Project No. CX 15875 (1980)); thence southeasterly and easterly along the southerly right-of-way of Engle Road extended to its intersection with the northwesterly line of the former Fort Wayne and Wabash Valley Traction Company right-of-way; thence northeasterly through the right-of- way of Engle Road Extended to the southwest corner of Jefferson Place - Phase II (Condominium Book 9, pages 58-59, Office of the Allen County Recorder) said corner also being on the northerly right-of-way of Engle Road Extended; thence northeasterly along the easterly boundary of Jefferson Place - Phase II to the northeast corner of Jefferson Place - Phase II; thence continuing northeasterly along the northerly line of the former Indiana Service Corporation Electric Railway, said line also being the southerly right-of-way of Garland Street in Hazelhurst Extended (Plat Book B, page 106, Office of the Allen County Recorder) and Hazelhurst (Plat Book 12, page 46, Office of the Allen County Recorder) and the southerly right-of- way of Taylor Road (Street) in the plat of Highland Garden Addition (Plat Book 8, page 62, Office of the Allen County Recorder) and Country Club Gardens Addition (Plat Book 8, page 58, Office of the Allen County Recorder) to its intersection with the east line of the SW 1/4 of Section 18, T3ON, R12E, 2nd P.M.; thence northerly along the east line of the SW 1/4 of said Section 18, said line also being the east boundary of said Country Club Gardens Addition to the southwest corner of Lot 7, Langford Oaks Addition - Section "A" (Plat Book 19, page 159, Office of the Allen County Recorder); thence easterly along the south boundary of Langford Oaks Addition - Section "A" (Lot 7 and Lot 8) to the southeast corner of Lot 8, Langford Oaks Addition - Section "A"; thence northerly along the east boundary of Langford Oaks Addition - Section "A" (Lot 8 and Lot 9) to the northeast corner of Lot 9, Langford Oaks Addition - Section "A"; thence easterly along the south boundary of Langford Oaks Addition - Section "A" (Lot 19 and Lot 20) to the southeast corner of Lot 20, Langford Oaks Addition - Section "A", said corner also being on the west right-of-way line of Fountain Avenue (Glendale Acres Suburban Addition to the City of Fort Wayne, Allen County, Indiana, Plat Book 4, pages 59-60, Office of the Allen County Recorder); thence southerly along the west right-of-way of Fountain Avenue, platted and dedicated in the plat of said Glendale Acres Suburban Addition, said line also being a portion of the West of Smith Road Annexation (Annexation Ordinance No. X-01-96, Office of the City Clerk of the City of Fort Wayne, Indiana) to a point 848.5 feet south of the south right-of-way of Engle Road Extended, said point also being the intersection of the west right-of-way of Fountain Avenue with a portion of the north boundary with said West of Smith Road Annexation; thence easterly along a portion of the north boundary of said West of Smith road Annexation to the center line (Thalweg) of the Junk Ditch; thence northeasterly along a portion of the westerly boundary of said West of Smith Road Annexation, said line also being the center line (Thalweg) of the Junk Ditch to the north line of the lands of Victory Waste, Inc. (Document No. 95-004735, Office of the Allen County Recorder);

11--16 #313966 **(PART 4 OF 8)#132**

thence easterly along the north line of the lands of Victory Waste, Inc. and said north line extended easterly, said line also being a portion of the north boundary of said West of Smith Road Annexation, to its intersection with the east right-of-way of Smith Road, said intersection also being on the west boundary of the Engle Ridge West Annexation Area (Annexation Ordinance No. X-04-86, Office of the City Clerk of the City of Fort Wayne, Indiana); thence northerly along the east right-of-way of Smith Road, said line being a portion of the west boundary of said Engle Ridge West Annexation Area and also a portion of the west boundary of the Country Club Annexation (Annexation Ordinance No. X-03-81, Office of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition (Plat Book 4, pages 59-60, Office of the Allen County Recorder) extended easterly, said intersection also being the southeast corner of the Canterbury School Annexation Area (Annexation Ordinance X-08-86, Of fice of the City Clerk of the City of Fort Wayne, Indiana); thence westerly along a line 6.2 feet south of the north boundary line of Lot 4, Glendale Acres Suburban Addition extend-

11--16 #313965 **(PART 5 OF 8)#132**

thence westerly along the south line ofthe NE 1/4 of said Section 12, said line also being a portion of the south boundary of said Magnavox Way Annexation Area, to its intersection with the east right-of-way of Interstate 69 (Indiana State Highway I Project No. 69-4 (13) 105, 1959); thence northeasterly and easterly along the easterly right-of-way of Interstate 69 and Interstate 69 Interchange (southeast quadrant, Indiana State Highway I Project No. 69-4-(13) 105, 1959), said line also being a portion of the boundary of said Magnavox Way Annexation Area, to its intersection with the south right-of-way of Illinois Road (formerly Indiana State Road 14, Project No. S-387 (4), 1963); thence easterly along the south right-of-way of Illinois Road, said line also being a portion of the boundary of said Magnavox Way Annexation Area, to a point south of and normal to survey line 'S- 14-A' (Indiana State Highway I Project No. 69-4 (13) 105, 1959) and through Station 61 plus 52.35 on said line 'S-14- A'; thence northerly through the right-of-way of Illinois Road, said line also being a portion of the boundary of said Magnavox Way Annexation Area, to a obliterated concrete right-of-way marker (103 feet normal distance north of station 61 plus 52.35 on said line 'S-14-A') approximately 1,306 feet west and 103 feet north of the southeast corner ofthe southeast corner ofthe SW 1/4 of Section 6, T3ON, R12E, 2nd P.M., said obliterated concrete right-of-way marker also being on the south boundary of the Poplar Ridge Annexation Area (Annexation Ordinance No. X-06-94, Office of the City Clerk of the City of Fort Wayne, Indiana); thence westerly, northwesterly and northerly along the easterly right-of-way of the Illinois Road (formerly Indiana State Road 14) and Interstate 69 Interchange (northeast quadrant, Indiana State Highway I Project No. 69-4 (13) 105, 1959) and the easterly right-of-way of Interstate 69, said line also being a portion of the boundary of said Poplar Ridge Annexation Area, to the point of beginning.
Said territory is outlined in the map attached as Exhibit A.

SECTION 2. That the city of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided in areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

11--16 #313969 **(PART 7 OF 8) #132**

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be temporarily assigned to Councilmanic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended. This assignment is subject to redistricting pursuant to I. C. 36-4-6-3 (g).

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. 36-4-3-7. The above mentioned territory shall become part of the City of Fort Wayne on February 28, 1997. In the event of litigation challenging the ordinance, the territory shall become part of the City the first 28th day of February following any final judicial decision resolving any legal challenge to the ordinance in favor of the City.

THE PUBLIC IS INVITED TO APPEAR BEFORE COMMON COUNCIL AND EXPRESS THEIR VIEWS.

FORT WAYNE COMMON COUNCIL
SANDRA E. KENNEDY
CITY CLERK

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH THE STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.

SANDRA E. KENNEDY
CITY CLERK

11--16 #314090 **(PART 8 OF 8) #132**

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of Covington Road, said line also being a portion of the south boundary of Westwood Annexation Study Area (Annexation Ordinance No. X-32-69, Office of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with the east boundary of Lot 8, Country Club Hills (Plat Book 12, page 39, Office of the Allen County Recorder), said intersection also being the northeast corner of the Covington Road Annexation Area (Annexation Ordinance No. X-07-83, Office of the City Clerk of the City of Fort Wayne, Indiana); thence southerly along the east boundary of Lot 8, Country Club Hills (said line also being east boundary of said Covington Road Annexation), to the southeast corner of Lot 8, Country Club Hills; thence westerly along the south boundary lines of Lots 8 through 15, Country Club Hills, said line also being the south boundary of said Covington Road Annexation, to the southwest corner of Lot 15, Country Club Hills, said corner being on the east right-of-way of Bellaire Drive as platted and dedicated in the plat of Country Club Hills; thence northerly along the east right-of-way of Bellaire Drive to its intersection with the southeasterly right-of-way of West Jefferson Boulevard, said intersection also being on a portion of the boundary of the Skinner-Broadbent Amended Annexation Area (Annexation Ordinance No. X-04-88, Of fice of the City Clerk of the City of Fort Wayne, Indiana); thence southwesterly along the southerly right-of- way of West Jefferson Boulevard, said line also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, to a point located on the southerly right-of-way of West Jefferson Boulevard 219 feet, more or less, northeasterly of the intersection of the west boundary line of Lot 4, Rousseau's Third Garden Addition (Plat Book 6, page 65, Of fice of the Allen County Recorder) with the southerly right-of-way of West Jefferson Boulevard; thence southeasterly along the southerly right-of- way of West Jefferson Boulevard, said line also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, to a point located on the southerly right-of-way of West Jefferson Boulevard 219 feet, more or less, northeasterly of the intersection of the west boundary line of Lot 4, Rousseau's Third Garden Addition (Plat Book 6, page 65, Of fice of the Allen County Recorder) with the southerly right-of-way of West Jefferson Boulevard; thence southeasterly along the southerly right-of- way of West Jefferson Boulevard, said line also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, through Lot 4, Lot 3 and Lot 2 in Rousseau's Third Garden Addition to its intersection with the center line (Thalweg) of the Flaugh Ditch; said ditch center line (Thalweg) also being a portion of the boundary of said Skinner- Broadbent Amended Annexation Area, to its intersection with the west line of the NW 1/4 of Section 18, T30N, R12E, 2nd P.M., thence northerly along the west line of the NW 1/4 of said Section 18, said line being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area and a portion of the boundary of the Colony Bay Annexation Area (Annexation Ordinance No. X-04-82, Office of the City Clerk, of the City of Fort Wayne, Indiana); thence continuing northerly along the west line of Section 7, T30N, R12E, 2nd P.M., said line also being a portion of the boundary of said Colony Bay Annexation Area to its intersection with the south line of the NE 1/4 of Section 12, T30N, R1 IE, 2nd P.M., said intersection being on the south boundary of the Magnavox Way Annexation Area (Annexation Ordinance No. X-03-82, Office of the City Clerk of

thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way of Liberty Mills Road to its intersection with the east right-of-way of Liberty Mills Road to its intersection with the west boundary of the Glens of Liberty Mills - Section I (Plat Cabinet A, page 41, Office of the Allen County Recorder); thence southerly along the west boundary of the Glens of Liberty Mills - Section I to the north boundary of Glens of Liberty Mills - Section II (Plat Cabinet B, page 56, Office of the Allen County Recorder; thence westerly along the north boundary of Glens of Liberty Mills - Section II to the northwest corner of Lot 109, Glens of Liberty Mills - Section II; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 106 thru Lot 109) to the southwest corner of Lot 106, Glens of Liberty Mills - Section II, said corner being on the north boundary of Lot 105, Glens of Liberty Mills - Section II; thence westerly along the north boundary of Lot 105, Glens of Liberty Mills - Section II to the northwest corner of said Lot 105; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 105, Lot 104 and Block "A") to the southwest corner of Block "A" in the Glens of Liberty Mills - Section II; thence easterly along the south boundary of Glens of Liberty Mills - Section II, said line also being a portion of the north boundary line of Sheffield Woods (Plat Cabinet A, page 40, Of fice of the Allen County Recorder) to the west boundary of said Glens of Liberty Mills - Section I; thence southerly on the west boundary of said Glens of Liberty Mills - Section I to the southwest corner of Lot 56, Glens of Liberty Mills - Section I; said corner also being the northwest corner of Lot 56, Forest Ridge Estates - Section "C" (Plat Book 29, pages 118- 120, Office of the Allen County Recorder); thence easterly along the north boundary of Forest Ridge Estates - Section "C", the north boundary of Forest Ridge Estates - Section "A" (Plat Book 23, pages 44-45, Office of the Allen County Recorder) to the northeast corner of Lot 15, Forest Ridge Estates - Section "A", said corner also being on the northerly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B1

#313963 **(PART 2 OF 8) #132**
11--16

thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way of Liberty Mills Road to its intersection with the west boundary of the Glens of Liberty Mills - Section I (Plat Cabinet A, page 41, Office of the Allen County Recorder); thence southerly along the west boundary of the Glens of Liberty Mills - Section I to the north boundary of Glens of Liberty Mills - Section II (Plat Cabinet B, page 56, Office of the Allen County Recorder; thence westerly along the north boundary of Glens of Liberty Mills - Section II to the northwest corner of Lot 109, Glens of Liberty Mills - Section II; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 106 thru Lot 109) to the southwest corner of Lot 106, Glens of Liberty Mills - Section II, said corner being on the north boundary of Lot 105, Glens of Liberty Mills - Section II; thence westerly along the north boundary of Lot 105, Glens of Liberty Mills - Section II to the northwest corner of said Lot 105; thence southerly along the west boundary of Glens of Liberty Mills - Section II (Lot 105, Lot 104 and Block "A") to the southwest corner of Block "A" in the Glens of Liberty Mills - Section II; thence easterly along the south boundary of Glens of Liberty Mills - Section II, said line also being a portion of the north boundary line of Sheffield Woods (Plat Cabinet A, page 40, Of fice of the Allen County Recorder) to the west boundary of said Glens of Liberty Mills - Section I; thence southerly on the west boundary of said Glens of Liberty Mills - Section I to the southwest corner of Lot 56, Glens of Liberty Mills - Section I; said corner also being the northwest corner of Lot 56, Forest Ridge Estates - Section "C" (Plat Book 29, pages 118- 120, Office of the Allen County Recorder); thence easterly along the north boundary of Forest Ridge Estates - Section "C", the north boundary of Forest Ridge Estates - Section "A" (Plat Book 23, pages 44-45, Office of the Allen County Recorder) to the northeast corner of Lot 15, Forest Ridge Estates - Section "A", said corner also being on the northerly right-of-way of U.S. Highway No. 24 (Indiana State Highway F.A. Project No. 98 Sec. B1

#313961 **(PART 1 OF 8) #132**
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Of fice of the Allen County Recorder) to the northwest corner of the Nature Preserve in Shorewood - Section VII; thence southerly along the west boundary of the Nature Preserve in Shorewood - Section VII, Homestead Acres - Section V (Plat Cabinet B, page 112, Of fice of the Allen County Recorder), the west boundary of Shorewood - Section VI (Plat Cabinet B, page 143, Of fice of the Allen County Recorder) and the west line of the east half of the west half of the SE 1/4 of Section 3, T30N, R11E, 2nd P.M., Allen County, Indiana to the north right-of-way of State Road No. 14 (Illinois Road); thence westerly along the north right-of-way of State Road No. 14 (Illinois Road) to its intersection with the west boundary line of Lot 198, Lot 197 and the common area north of and adjacent to Lot 197 in Sycamore Hills - Section 6 (Plat Cabinet A, page 110, Office of the Allen County Recorder) extended northerly; thence southerly on said west boundary line of Lot 198, Lot 197 and the common area north of adjacent to Lot 197 in Sycamore Hills - Section 6 extended northerly and said west boundary line to the southwest corner of Lot 198, Sycamore Hills - Section 6; thence westerly along the north boundary of Sycamore Hills - Section 6 (as established by Lot 199, Lot 200 and Lot 201) to the northwest corner of Lot 201, Sycamore Hills - Section 6; thence southwesterly along the west boundary of Sycamore Hills - Section 6, the west boundary of Sycamore Hills, Section 7 (Plat Book A, page 181, Office of the Allen County Recorder) and the west boundary of Sycamore Hills - Section 8 (Plat Cabinet B, page 53, Office of the Allen County Recorder) to an angle point on the west side of Lot 277, Sycamore Hills - Section 8; thence westerly along the north boundary of Lot 277, Sycamore Hills - Section 8 to the west boundary of Lot 277, Sycamore Hills - Section 8; thence southerly along the west boundary of Sycamore Hills - Section 8 and said west boundary of Sycamore Hills - Section 8 extended southerly to its intersection with the south right-of-way of the Covington Road; thence easterly along the south right- of-way of the Covington Road to its intersection with the west right-of-way of the Homestead Road; thence southerly along the west right-of-way of the Homestead Road to its intersection with the south right-of-way of the Abolte Center Road; thence easterly along the south right-of-way line of the Abolte Center Road to its intersection with the west boundary of the Plantation of Abolte - Section II (Plat Book 40, page 92 (Doc. No. 78-5758) Office of the Allen County Recorder); thence southerly along the west boundary of the Plantation of Abolte - Section II and the Plantation of Abolte - Section I (Plat Book 39, page 73 (Doc. No. 77-15733) Office of the Allen County Recorder) to the southwest corner of Lot 11, the Plantation of Abolte - Section I; thence westerly along the north line of Kekionga Shores (Plat Book 29, pages 13-17, Office of the Allen County Recorder) and the north boundary of Homestead Acres - Section I (Plat Book 41, page 37 (Doc. No. 78-18418) Of fice of the Allen County Recorder) to the northwest corner of Lot 11, Homestead Acres - Section I; thence southerly along the west boundary of Homestead - Section VII; thence southerly along the west boundary of the Nature Preserve in Shorewood - Section VII, thence southerly along the west boundary

#313967 **(PART 5 OF 8) #132**
11--16

View Addition; thence northwesterly along the west boundary of Lot 199, Country Club View Addition, said line also being a portion of the west boundary of said Country Club Annexation to the northwest corner of Lot 199, Country Club View Addition, said corner also being on the southeasterly right-of-way of Richland Drive as platted and dedicated in the plat of Country Club View Addition; thence northeasterly along the southerly right-of-way of Richland Drive, said line also being a portion of the boundary of said Country Club Annexation, to its intersection with the west right-of-way of Fairway Drive, said line also being a portion of said Country Club Annexation, to its intersection with the southwesterly right-of-way of South Bend Drive, said line also being a portion of the west boundary of said Covington Road; thence westerly along the south right-of-way of Covington Road, said line also being a portion of the south boundary of Westwood Annexation Study Area (Annexation Ordinance No. X-32-69, Office of the City Clerk of the City of Fort Wayne, Indiana) to its intersection with the east boundary of Lot 8, Country Club Hills (Plat Book 12, page 39, Office of the Allen County Recorder), said intersection also being the northeast corner of the Covington Road Annexation Area (Annexation Ordinance No. X-07-83, Office of the City Clerk of the City of Fort Wayne, Indiana); thence southerly along the east boundary of Lot 8, Country Club Hills, said line also being east boundary of said Covington Road Annexation, to the southeast corner of Lot 8, Country Club Hills; thence westerly along the south boundary lines of Lots 8 through 15, Country Club Hills, said line also being the south boundary of said Covington Road Annexation, to the southwest corner of Lot 15, Country Club Hills, said corner being on the east right-of-way of Bellaire Drive as platted and dedicated in the plat of Country Club Hills; thence northerly along the east right-of-way of Bellaire Drive to its intersection with the southeasterly right-of-way of West Jefferson Boulevard, said intersection also being on a portion of the boundary of the Skinner-Broadbent Amended Annexation Area (Annexation Ordinance No. X-04-88, Of fice of the City Clerk of the City of Fort Wayne, Indiana); thence southwesterly along the southerly right-of- way of West Jefferson Boulevard, said line also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, to a point located on the southerly right-of-way of West Jefferson Boulevard 219 feet, more or less, northeasterly of the intersection of the west boundary line of Lot 4, Rousseau's Third Garden Addition (Plat Book 6, page 65, Of fice of the Allen County Recorder) with the southerly right-of-way of West Jefferson Boulevard; thence southeasterly along the southerly right-of- way of West Jefferson Boulevard, said line also being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area, through Lot 4, Lot 3 and Lot 2 in Rousseau's Third Garden Addition to its intersection with the center line (Thalweg) of the Flaugh Ditch; said ditch center line (Thalweg) also being a portion of the boundary of said Skinner- Broadbent Amended Annexation Area, to its intersection with the west line of the NW 1/4 of Section 18, T30N, R12E, 2nd P.M., thence northerly along the west line of the NW 1/4 of said Section 18, said line being a portion of the boundary of said Skinner-Broadbent Amended Annexation Area and a portion of the boundary of the Colony Bay Annexation Area (Annexation Ordinance No. X-04-82, Office of the City Clerk, of the City of Fort Wayne, Indiana); thence continuing northerly along the west line of Section 7, T30N, R12E, 2nd P.M., said line also being a portion of the boundary of said Colony Bay Annexation Area to its intersection with the south line of the NE 1/4 of Section 12, T30N, R1 IE, 2nd P.M., said intersection being on the south boundary of the Magnavox Way Annexation Area (Annexation Ordinance No. X-03-82, Office of the City Clerk of

Form Prescribed by State Board of Accounts — General Form No. 99P (Revised 1987)

FW COMMON COUNCIL
(Governmental Unit)

ALLEN County, Indiana

To: The News-Sentinel Dr.
P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

641 lines, 1 columns wide equals 641 equivalent lines
at .346 cents per line $ 221.78

Additional charge for notices containing rule or tabular work (50 percent of above amount)

Charge for extra proofs of publication ($1.00 for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM $ 223.78

DATA FOR COMPUTING COST

Width of single column 12.5 ems
Number of insertions 1
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Julie L Smith

Date: NOV 16, 19 96 Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Allen County)

ATTACH COPY OF ADVERTISEMENT HERE

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:

11-16-96

Julie L Smith

Subscribed and sworn to before me this 16th day of NOV, 19 96.

Mary L Schneider
Notary Public

MARY L SCHNEIDER
NOTARY PUBLIC STATE OF INDIANA
ALLEN COUNTY
MY COMMISSION EXP. JUNE 14,1997

My commission expires: